

habitants between certain ages with the exceptions pointed out above.

Therefore, you are respectfully advised, that in the opinion of this Department the second question submitted by Your Excellency, as well as the first, must be answered in the affirmative. That is to say, that all male persons, otherwise qualified to vote in the general election to be held in November next, must be permitted to vote regardless of whether they have or have not paid a poll tax.

Yours very truly,

(Signed) E. F. SMITH,

This opinion has been considered in conference, passed upon, and is now ordered recorded.

(Signed) W. A. KEELING,  
Acting Attorney General.

#### Senate at Ease.

On the motion of Senator Clark the Senate at 3:30 p. m. stood at ease subject to the call of the Chair.

#### In the Senate.

The Chair called the Senate to order at 4:45 p. m.

#### Senator Dayton's Personal Privilege.

Senator Dayton rose to a point of personal privilege, inasmuch as he could not be here the entire session.

#### Recess.

At 4:54 p. m., on the motion of Senator McNealus the Senate stood recessed until 8:30 p. m. tonight.

#### Tuesday Night.

The Senate was called to order at 8:30 p. m. pursuant to recess by Lieutenant Governor Johnson.

#### Committee from the House.

A committee from the House presented itself at the bar of the Senate and announced that the House was organized and ready for work.

#### Senate Committee Returned.

The committee sent by the Senate to notify the House that the Senate

was organized returned and reported their duty performed.

#### Adjournment.

Senator McNealus moved to adjourn until tomorrow at 10 o'clock.

Senator Bledsoe moved to adjourn until 9 o'clock tomorrow.

On the motion of Senator McNealus, the ayes and nays were demanded. There was no quorum present, the following members answering to their names:

Yeas—3.

Caldwell.	Dudley.
Dayton.	

Nays—13.

Alderdice.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Rector.
Cousins.	Smith.
Davidson.	Witt.
Gibson.	

Absent.

Carlock.	Page.
Clark.	Parr.
Dean.	Suiter.
Faust.	Westbrook.
Hall.	Williford.

Absent—Excused.

Bailey.	Strickland.
Dorough.	Woods.
Floyd.	

There being no quorum present, on the motion of Senator Bledsoe, the Senate at 9:55 p. m. stood adjourned until Wednesday morning at 9 o'clock.

#### SECOND DAY.

Senate Chamber,

Austin, Texas,

Wednesday, Sept. 22, 1920.

The Senate met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, no quorum being present, the following Senators answering to their names:

Alderdice.	Buchanan of Bell.
Bailey.	Buchanan of Scurry.
Bledsoe.	Caldwell.

Cousins.	Hopkins.
Davidson.	McNealus.
Dayton.	Page.
Dean.	Rector.
Dudley.	Smith.
Gibson.	Williford.
Hertzberg.	Witt.

Absent.

Carlock.	Parr.
Clark.	Suiter.
Faust.	Westbrook.
Hall.	

Absent—Excused.

Dorough.	Strickland.
Floyd.	Woods.

#### At Ease.

There being no quorum present, the Senate, at 9:05 a. m., stood at ease subject to the call of the Chair.

#### In the Senate.

The Senate was called to order at 10:45 o'clock by Lieutenant Governor Johnson. There was a quorum present, Senator Faust having arrived.

Prayer by Senator Smith.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

#### Bills and Resolutions.

By Senators Dean, Dayton, Page, Gibson, Witt, Hertzberg, Williford, Buchanan of Scurry, Alderdice, Davidson:

S. B. No. 1, A bill to be entitled "An Act to amend Article 7354, Chapter 1, Title 126, Revised Civil Statutes of Texas, and Article 2942 Chapter 4, Title 29, Revised Civil Statutes of Texas, and Article 2943, Chapter 4, Title 49, Revised Civil Statutes of Texas, and Article 2939, Chapter 4, Title 49, Revised Civil Statutes of Texas. All of said Articles relating to the levy and collection of a poll tax and fixing the qualifications of voters be eliminated from the provisions of all of the said Articles the word "Male" so as to levy and collect from all persons, both male and female, poll taxes, and fixing the qualifications of voters so as to include all per-

sons, both male and female; and providing for the issuance of exemption certificates to persons not subject to the payment of poll tax on January 1st, 1919, and who obtain such exemption certificates shall be eligible to vote in all elections, general and special, held during the remainder of the year 1920; providing penalties for the violation of any of the provisions of this Act, etc.; fixing the venue of suits involving the validity of the provisions of this act, etc., and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Buchanan of Bell:

S. B. No. 2, A bill to be entitled "An Act defining who are qualified electors and entitled to participate in elections held in the State of Texas subsequent to the passage of this Act, and prior to February 1st, 1921; providing that female persons may pay a poll tax between October 1st, 1920, and February 1st, 1921, as a condition precedent to the exercise of the elective franchise from February 1, 1920, to January 21, 1921; fixing the venue of all suits involving the validity of any provisions of this Act in Travis County, Texas, and declaring an emergency."

Read first time and referred to the Committee on Civil Jurisprudence.

By Buchanan of Scurry:

S. B. No. 3, A bill to be entitled "An Act providing for the issuance of an exemption certificate to all persons otherwise qualified to vote that were not subject to pay a poll tax for the year 1919; defining who are qualified electors; authorizing the payment of a poll tax for female persons from October 1st, 1920, to February 1st, 1921, as a condition precedent to voting in Texas subsequent to February 1st, 1921; defining the duties of County Tax Collectors and election officials; fixing the venue of suits involving the validity of this Act, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Smith:

S. B. No. 4, A bill to be entitled "An Act to make effective within this State the Nineteenth Amendment to the Federal Constitution and providing for the issuance of exemption certificates to persons enfranchised by said amendment; providing penalties for the violation of any of the pro-

visions of this Act by any Tax Collector in the State of Texas and repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Dean:

S. B. No. 5, Appropriating for contingent expenses of the Fourth Called Session.

Read first time and referred to Committee on Finance.

By Senator Dean:

S. B. No. 6, Appropriating for mileage and per diem for members and employees of the Fourth Called Session.

Read first time and referred to Committee on Finance.

By Senator Caldwell:

S. B. No. 7, A bill to be entitled "An Act to repeal Articles 2938, 2939, 2940, 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963, 2997, 2998, 2999, 3000, 3001, 3002, 3003 of the Revised Civil Statutes of Texas of 1911, and to repeal Article 227 of the Penal Code of Texas of 1911, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Bledsoe, Dean and Page:

S. B. No. 8, A bill to be entitled "An Act to protect the movement of commerce through the ports of Texas, defining "ports," declaring it to be the policy of the State that the same shall be kept open at all times in order that the movement of commerce through said ports shall not be interfered with; making it unlawful for any person to interfere with such commerce passing through such ports, by interfering with persons engaged in work that is necessary for the movement of commerce; prescribing the punishment to be assessed against the persons convicted of such offense. Persons convicted of any offense under this Act shall not have the benefit of the suspended sentence law. Empowering the Governor to protect the commerce passing through said ports; providing for the use of the Rangers or special Rangers in the enforcement of the provisions of this Act; providing the venue for the indictment and prose-

cution for violation of this Act; providing that nothing in this Act shall be construed as limiting the power of the Governor to declare martial law and to call forth the militia for the purpose of executing the law, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Davidson:

S. B. No. 9, A bill to be entitled "An Act authorizing cities of one hundred thousand population, or more, situated along or upon navigable streams in the State of Texas and owning and operating municipal wharves, docks and warehouses, for the development of commerce, to appoint Pilot Boards for their respective cities, and granting such cities exclusive jurisdiction over the pilotage of boats between the Gulf of Mexico and their respective ports; prescribing the qualifications of such Pilot Boards; granting such City Councils or Boards of Commissioners the right, power and authority to retain in office, or remove any Branch or Deputy Pilots in office at the time this Act takes effect, and to appoint, suspend or remove from office any and all Branch of Deputy Pilots, prohibiting any member of such Pilot Boards from being directly or indirectly interested in the towing business, or in any pilot boat, or in any other business directly or indirectly affected by, or connected with his duties as such Commissioner of Pilots, granting such cities the right, power and authority to fix rates of pilotage and all needful regulations thereof compatible with the Federal regulations within the limits of their respective ports, and declaring an emergency."

Read first time and referred to the Committee on State Affairs.

#### Senate Concurrent Resolution No. 1.

On the motion of Senator Bailey, Senate Concurrent Resolution No. 1 was recalled from the Committee on Rules and put on the table subject to call.

Senator Clark Marked Present.

Senator Clark having arrived, he was marked present.

**Senators Excused.**

Senator Hall was excused for today and yesterday on account of important business.

Senator Parr was excused for this week on account of important business.

**Recess.**

On the motion of Senator Dayton, the Senate at 10.57 a. m. recessed until this afternoon at 2:30.

**Afternoon Session.**

The Senate was called to order at 2:30 p. m., pursuant to recess, by Lieutenant Governor Johnson.

**Mesages From the Governor.**

Miss Houghton, a messenger from the Governor, presented herself at the bar of the Senate with the following executive messages:

Governor's Office,

Austin, Texas, Sept. 22nd, 1920.

To the Thirty-sixth Legislature in Fourth Called Session:

Gentlemen: I submit for your consideration the following subjects:

"Such legislation as may be necessary to protect the movement of interstate and intrastate commerce passing through the ports of Texas, and the enactment of such legislation as may be required for port operation and regulation."

I also submit for your consideration the form of a bill which in my judgment will materially aid in the accomplishment of the needed purposes and which is urgently demanded for the public welfare and for the public interest of this State. Not only is there a necessity for this Act but there is that emergency which justifies putting it into immediate effect. You may find other legislation on this general subject necessary and desirable.

For your guidance, I have asked for an opinion from the Attorney General of the State with respect to the constitutionality of this proposed act and I have in reply received the following:

September 14th, 1920.

To His Excellency, Hon. W. P. Hobby,  
Governor of Texas,  
Austin, Texas.

Dear Sir: Answering your inquiry

with reference to the constitutionality of the enclosed bill, you are respectfully advised that we have given this matter considerable thought and attention, and in our opinion, there is not anything in the Constitution which would prevent the Legislature from enacting into law the provisions contained in said bill.

I am, sir, with respect,

Yours very truly,

(Signed) E. F. Smith,  
Asst. Atty. General.

I have advised you of the conditions which brought about martial law at Galveston. Through an agreement reached between a committee of citizens the mayor and the board of city commissioners and myself, there will soon be a happy termination of the existence of martial law. The agreement on the part of local authorities by which State rangers may be used to guarantee the safety and protection of those who are engaged in the work of moving intrastate, interstate and foreign commerce and keeping open those channels of trade which affect every line of business in Texas by means of an open port made the ending of martial law possible.

The Act herewith submitted will enable the State to carry out more effectively the spirit of the agreement entered into. It will be necessary then to invoke the State's authority only in connection with the port business of the city of Galveston.

Not only is this a desirable end to attain with respect to the port of Galveston, but there are far greater reasons which call for the enactment of this legislation. The Act will put into the laws of the State a public policy contributing to the welfare of the people generally and affording certainty of transportation for each and every line of business in the State and for the movement of the crops of Texas whose congestion brings serious loss to the farmers and merchants, and to the producers and consumers throughout the State.

There are ten ports in Texas through which commerce moves to more or less extent. I consider that the enactment of this bill will bring about a condition under which all of these ports will be kept open for the trade of this State and of this Nation. Each of these ports were constructed at the expense of the people and are being maintained at public expense, and their un-

interrupted use should be guaranteed the people.

This can be accomplished when it becomes the policy of the State to effectively prohibit interference with those whose work is needed to carry on the business of the ports.

The intention of this Act is to make that possible at the least expense to the State and by the simplest procedure that will prove effective.

The proposed Act defines what shall constitute a crime in connection with the interference of workers and enables the State when necessary to remove the trial of those who commit such crime from local influences. The authority given the Governor relates merely to the enforcement of the law, and does not involve participation in any issues or differences growing out of the use of capital or the employment of labor. Police power only is given to the Governor, in such circumstances with superior jurisdiction over everything that is an integral part of a port or incident to the operation thereof, without the necessity of declaring martial law and without taking on the burden of other local law enforcement powers to be exercised within the town, city or county where a port may be wholly or in part located.

Enactment of this measure strengthened, if a way may be found to do so in your wisdom, but not weakened, I trust, in any of the powers it is intended to confer, will, I feel confident, meet an urgent demand in this State and prove to be the solution of a matter which the entire citizenship of our State will welcome.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

#### A BILL To Be Entitled

An Act to protect the movement of commerce through the ports of Texas, defining "ports," declaring it to be the policy of the State that the same shall be kept open at all times in order that the movement of commerce through said ports shall not be interfered with; making it unlawful for any person to interfere with such commerce passing through such ports by interfering with persons engaged in work that is necessary for the movement of commerce; prescribing the punishment to be assessed against the persons convicted of such offense. Persons convicted of any offense under this Act shall

not have the benefit of the Suspended Sentence Law. Empowering the Governor to protect the commerce passing through said ports; providing for the use of the Rangers or Special Rangers in the enforcement of the provisions of this Act; providing the venue for the indictment and prosecution for violation of this Act; providing that nothing in this Act shall be construed as limiting the power of the Governor to declare martial law and to call forth the militia for the purpose of executing the law, and declaring an emergency. Be it Enacted by the Legislature of the State of Texas:

Section 1. The ports of Texas were constructed, and are being maintained, at public expense, and any obstruction in or hindrance to these channels of trade affects the general business and welfare of the State. It is therefore declared to be the policy of the State that the same should be kept open at all times in order that the movement of intrastate, interstate and interstate and foreign commerce through said ports shall not be impeded or interfered with.

Sec. 2. The words "port" or "ports," as used in this Act, are defined to mean and include all places where ocean-going or coast-wise ships are loaded or unloaded.

Sec. 3. It shall be unlawful for any person or persons by or through the use of physical violence, or by threatening the use of physical violence, or by abuse or intimidation, to interfere with or molest or harass any person or persons engaged in loading or unloading any ship or ships at any port or ports within the State of Texas.

It shall be unlawful for any two or more persons to conspire to interfere with, molest or harass any person or persons engaged in loading or unloading any ship or ships at any port or ports within the State of Texas by or through the use of physical violence, or by threatening the use of physical violence, or by abuse or intimidation.

Sec. 4. Every person who shall, through any act, or written communication, or conversation, either in person or over the telephone, either to or with any person or persons engaged in loading or unloading ships at any port in Texas or with the wife, mother, brother, sister, child or children of such person or persons while so engaged or during the hours of day or night when not engaged in such work, which is reasonably calculated or in-

tended or designed to cause such person or persons so engaged to desist from engaging in such work, shall be deemed to have interfered with or molested or harassed such person or persons engaged in loading or unloading ships at a port in Texas.

Sec. 5. The term "person or persons engaged in loading or unloading ships at any port in Texas," as used in Section 3 of this Act, shall be construed as including any person or persons employed in any way at the docks or wharves, or on switches, railroad tracks, cotton compresses, streets, sidewalks, or alleys, or any approach, or appurtenance belonging to, incident to, or used in connection with such loading or unloading, and persons engaged in transporting cotton and other products or articles of commerce from warehouses to wharves located in the vicinity of the port. This Section by naming certain occupations shall not be construed to exclude any occupation not named, but shall be construed to include all persons who are engaged in work that is necessarily connected with the movement of commerce through any port in Texas, even though the work be not actually loading or unloading of ships.

Sec. 6. The provisions of Section 3 shall not apply to peace officers, or other persons, who may, in the proper and lawful discharge of their duty, interfere with men who are engaged in work connected with the movement of commerce through the ports of Texas.

Sec. 7. Any person violating the provisions of this Act shall be deemed guilty of a felony, and upon conviction thereof shall be punished by confinement in the State Penitentiary for not less than one year, and not more than five years.

Sec. 8. Persons convicted for violating the provisions of this Act shall not be permitted to enjoy the benefits of the Suspended Sentence Law.

Sec. 9. If at any time, the movement of commerce through the ports of Texas, or any of them, is interfered with in violation of the provisions of this Act, and the Governor becomes convinced that the local authorities are failing to enforce the law, either because they are unable or unwilling to do so, the Governor shall, in order that the movement of commerce may not be interfered with, forthwith issue his proclamation declaring such conditions to exist, and describing the area thus affected.

Sec. 10. Upon the issuance of the proclamation, as provided for in the preceding section, the Governor, through such means and agencies as he may select, shall exercise full and complete police jurisdiction over the area described in the proclamation, whether the same be within or without, or partly within and partly without, the limits of an incorporated city. The exercise of said police jurisdiction by the Governor, as above set out, shall supersede all police authority by any and all local authorities, provided that the Governor shall not disturb the local authorities in the exercise of police jurisdiction at any place outside the district described in the proclamation.

Sec. 11. No peace officer of the State of Texas shall be permitted to make an arrest after the Governor's proclamation has become effective in the territory embraced by such proclamation, except officers acting under the authority of the Governor. Persons arrested within the district shall be delivered forthwith to the proper authorities for trial.

Sec. 12. Indictments for violations of the provisions of this Act may be returned by the grand jury of the county in which the violation occurs, or by the grand jury of Travis County, and persons indicted may be prosecuted and finally tried in the county in which the indictment is returned.

Sec. 13. When the provisions of this Act have been violated by any person or persons, and the grand jury of the county in which the offense was committed has returned an indictment, the district judge into whose court the indictment may be returned shall grant a change of venue upon motion made by the Attorney General, representing the State, or at his direction by the prosecuting attorney locally. The motion for a change of venue shall be sufficient if it sets out that the offense charged is one prohibited by the provisions of this Act, and that on account of local prejudice or preferences or influences, it is the opinion of the Attorney General, after fair investigation, that an impartial trial could not be had in such county, and that no conviction could probably be obtained. Upon the filing of such motion, it shall be the duty of the district judge in whose court such case may be pending to immediately enter a proper order changing the venue of such case to such other county as the court may select, not subject in the opinion of

the Attorney General to like conditions and objections.

Sec. 14. The Attorney General, when directed by the Governor, shall assist the district or county attorney in the prosecution of all offenses committed within the territory embraced by said proclamation, and for all violations of the provisions of this Act.

Sec. 15. The provisions of this Act shall be effective without a declaration of martial law. The State Rangers may be used in the enforcement of the provisions of this Act. If a sufficient number of Rangers is not available, the Governor is authorized to employ any number of men to be designated as Special Rangers, and such men shall have all the power and authority of the regular Rangers, and shall be paid the same salary as Rangers are paid, and such salaries shall be paid out of the appropriation made to the executive office for the payment of rewards, and the enforcement of the law.

Sec. 16. Nothing in this Act shall be construed as limiting the power and authority of the Governor to declare martial law and to call forth the militia for the purpose of executing the law, when in the judgment of the Chief Executive it is deemed necessary to do so.

Sec. 17. The great importance of keeping the ports of Texas open, and permitting the free and unrestricted movement of commerce there through, and the dependence of the people of this State upon such movement of commerce for supplies, and the near approach to the end of this special session of the Legislature, create an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days be suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Governor's Office,

Austin, Texas, Sept. 22nd, 1920.

To the Thirty-sixth Legislature in Fourth Called Session:

Gentlemen: I submit for your consideration the following subjects to wit:

"An Act making an appropriation to cover authorized deficiencies."

"An Act making such emergency and miscellaneous appropriations as may be necessary for the support and maintenance of the State government and its institutions."

Respectfully submitted,

W. P. HOBBY,

Governor.

Governor's Office,

Austin, Texas, Sept. 22nd, 1920.

To the Thirty-sixth Legislature in Fourth Called Session:

In submitting for your information the circumstances and conditions necessitating the sending of troops to Galveston, I would say that the question is whether the best interest of the State should be served or whether that interest should be subordinated to a local controversy. Any issue with respect to labor organizations or open-shop organizations is not involved and I stand ready to protect either or both within the law so long as that protection is not incompatible with the public welfare, but all must obey the law. The channels of trade affecting the life of the business of Texas and affecting the living conditions and the occupations of all the people must be kept open, and I shall exert the full limit of the State's power to accomplish that purpose.

Under the Constitution, citizens of this State are guaranteed the right to engage in lawful occupations. By reason of inadequate police protection furnished by the local authorities, workers engaged in the loading, unloading, transfer and transportation of freight were denied their right to work unhampered and unmolested. This condition prevented the free and uninterrupted movement of freight through that port. Accordingly on June 2nd, I notified the Mayor of Galveston and the Sheriff of Galveston County that unless adequate police protection was given and the peace laws of the State enforced by local authorities, insuring the free and uninterrupted movement of freight and the absolute safety of any and all workers employed in the loading, unloading, transfer and transportation of same, I would, under the constitution and laws of Texas, assume control.

Section XIX of Article 1 of the Constitution reads in part as follows:

"No citizen of this State shall be deprived of life, liberty, property . . . except by due course of the law of the land."

Section X, Article IV of the Constitution charges the Governor with the faithful execution of the laws of the State, and Section VII of the same Article declares that the Governor shall call forth the militia to execute the laws.

The conditions existing in the Port of Galveston on June seventh were

such as to make it necessary for me to put in action these sections of the Constitution, which conditions were brought about as follows:

On March 19, 1920, coastwise long-shoremen, working on Mallory and Morgan Line docks, some 1600 in number, approximately half white and half negroes, struck. At the time a great deal of freight consigned to merchants in the interior of Texas and other States of the Southwest and the West was on the docks. There was also accumulated a large quantity of freight consigned to New York from various places in Texas and elsewhere. After the strike, ships that were en route from New York reached port. These were unloaded in some instances with such small forces as could from time to time be procured. Constant interference prevented anything like a systematic unloading of these ships and it was impossible to unload the freight from the wharves onto railroad cars. As a result of this a large amount of freight accumulated on the wharves which belonged to merchants, principally of Texas but also of other States. This condition prevailed at both the Mallory and the Morgan docks. The Morgan docks, however, being enclosed by a high fence made it easier for private armed guards to prevent interference. The Morgan Line employed such men as it could get and quartered them at the docks, but it was not possible for the Morgan Line, under these conditions, to procure enough labor to restore the normal condition of the freight situation. For a time the Mallory Line diverted its ships from Galveston to Port Arthur. Conditions that obtained with reference to interference by acts of violence and intimidation are in a measure reflected by depositions taken. Copies of these are attached hereto and marked exhibit "A" for the information of your honorable body.

On June 7th, 1920, martial law was declared, and Brigadier General Jacob F. Wolters placed in command. On the same date General Wolters reached Galveston with troops from Houston. He at once put patrols over the city. During the night other troops ordered from various sections of the State arrived. On June 7th there were 35 men working at the Mallory wharf. Without any solicitation, on the morning of June 8th, 90 men reported for work at the Mallory wharves. On June 9th, 170 men reported and for several days thereafter more men reported for

work than the Mallory Line could use. The freight began to move. On June 8th and 9th consignments were shipped from the Mallory docks to 662 Texas merchants and to 20 outside of the State. This work continued until the accumulated freight was shipped out. The Mallory Line resumed bringing ships to Galveston. Its ships are coming in regularly. Freight is being transported through the port from the East and through the port from the West to the East.

Conditions are normal. The same relates to the Morgan Line. There is no delay in freight coming through the port of Galveston.

Threats have been made to the effect that when the troops were withdrawn the workers now on duty would be run out of town or killed. That this result would obtain is the belief of well informed people, who are on the ground. I would not have entertained even the thought of removing the troops without providing a means of protection in the place of the troops. This means has been temporarily provided by an agreement reached between the city authorities of Galveston and a committee of Galveston citizens and myself. The substance of the agreement is that martial law will be lifted and the local police force reinstated under the complete control and supervision of a Ranger captain. In entering into this agreement, I have the cooperation of the local authorities, to the end of enforcing the laws of the State, keeping the port open and protecting those who work.

I attach hereto for your information, marked exhibit "B," a copy of this agreement.

Respectfully submitted,

W. P. HOBBY,  
Governor.

(See Appendix for Exhibits.)

#### Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives.  
Austin, Texas, Sept. 22, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:



H. B. No. 1, Mileage and Per Diem Bill.

H. B. No. 2, Making an appropriation to pay contingent expenses of the Fourth Called Session of the Thirty-sixth Legislature.

Respectfully,

N. K. BROWN,  
Chief Clerk House of Representatives.

#### House Bills Read and Referred.

After their captions had been read, the Chair referred the following bills:

H. B. No. 1, To Committee on Finance.

H. B. No. 2, To Committee on Finance.

#### Committee Reports.

See appendix.

#### Senate Concurrent Resolution No. 1.

Senator Davidson called off the table:

S. C. R. No. 1, Requesting the Governor to submit only general bills at this called session.

The resolution was read and adopted.

#### Simple Resolution No. 2.

Senator Faust received unanimous consent to send up the following resolution:

Resolved, That W. H. Gerhardt and Miss Irene Dorman be elected Engrossing Clerk and Assistant Engrossing Clerk, respectively, effective September 21st, 1920.

FAUST.

ALDERDICE.

CALDWELL.

The resolution was read and adopted.

#### Enrolling Clerk Elected.

On the motion of Senator Smith, Mr. Dennis P. Ratcliff was elected Enrolling Clerk of the Senate.

#### Officers Sworn.

Mr. W. H. Gerhardt, Miss Irene Dorman, and Mr. Dennis P. Rat-

cliff were sworn in as Engrossing Clerk, Assistant Engrossing Clerk, and Enrolling Clerk, respectively.

#### Simple Resolution No. 3.

Senator McNealus received unanimous consent to send up the following resolution:

Resolved, That the Governor of Texas be requested to furnish the Senate with the number and names of all persons employed in the Ranger Service of this State, their rank, compensation and where now stationed, at the earliest moment possible.

The resolution was read and adopted.

#### Senator Westbrook Excused.

Senator Westbrook was excused indefinitely on account of important business.

#### House Bill No. 1.

Unanimous consent was granted Senator Dean to call up and consider:

H. B. No. 1, Providing for the payment of the mileage and per diem of members and employes of the Legislature.

The Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 1 was put on second reading by the following vote:

Yeas—21.

Alderdice.	Dudley.
Bailey.	Faust.
Bledsoe.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Williford.
Dayton.	Witt.
Dean.	

Absent.

Carlock.	Suiter.
Hopkins.	

Absent—Excused.

Dorough.	Strickland.
Floyd.	Westbrook.
Hall.	Woods.
Parr.	

The bill was read second time.

The Senate rule requiring committee reports to lie on the table one day was suspended by unanimous consent.

The committee report that the bill be not printed was adopted.

The bill was passed to third reading.

On motion of Senator Dean, the Constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Dudley.
Bailey.	Faust.
Bledsoe.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Williford.
Dayton.	Witt.
Dean.	

Absent.

Carlock.	Suiter.
Hopkins.	

Absent—Excused.

Dorough.	Strickland.
Floyd.	Westbrook.
Hall.	Woods.
Parr.	

The bill was read third time and finally passed by the following vote:

Yeas—21.

Alderdice.	Dudley.
Bailey.	Faust.
Bledsoe.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Williford.
Dayton.	Witt.
Dean.	

Absent.

Carlock.	Suiter.
Hopkins.	

Absent—Excused.

Dorough.	Strickland.
Floyd.	Westbrook.
Hall.	Woods.
Parr.	

House Bill No. 2.

Unanimous consent was granted Senator Dean to take up and consider:

H. B. No. 2, Providing for the payment of the contingent expenses of this called session of the Thirty-sixth Legislature.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 2 put on its second reading by the following vote:

Yeas—22.

Alderdice.	Dudley.
Bailey.	Faust.
Bledsoe.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Rector.
Cousins.	Smith.
Davidson.	Strickland.
Dayton.	Williford.
Dean.	Witt.

Absent.

Carlock.	Suiter.
Hopkins.	

Absent—Excused.

Dorough.	Parr.
Floyd.	Westbrook.
Hall.	Woods.

The bill was read second time.

The Senate rule requiring committee reports to lie on the table one day was suspended by unanimous consent.

The committee report that the bill be not printed was adopted.

The bill was passed to third reading.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 2 was put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Dayton.
Bailey.	Dean.
Bledsoe.	Dudley.
Buchanan of Bell.	Faust.
Buchanan of Scurry.	Gibson.
Caldwell.	Hertzberg.
Clark.	McNealus.
Cousins.	Page.
Davidson.	Rector.

Smith. Williford.  
Strickland. Witt.

Absent.

Carlock. Suiter.  
Hopkins.

Absent—Excused.

Dorough. Parr.  
Floyd. Westbrook.  
Hall. Woods.

The bill was read third time and finally passed by the following vote:

Yeas—22.

Alderdice. Dudley.  
Bailey. Faust.  
Bledsoe. Gibson.  
Buchanan of Bell. Hertzberg.  
Buchanan of Scurry. McNealus.  
Caldwell. Page.  
Clark. Rector.  
Cousins. Smith.  
Davidson. Strickland.  
Dayton. Williford.  
Dean. Witt.

Absent.

Hopkins. Woods.  
Suiter.

Absent—Excused.

Carlock. Hall.  
Dorough. Parr.  
Floyd. Westbrook.

#### Senate Bill No. 9—Recommitted.

On the motion of Senator Williford, Senate Bill No. 9 was withdrawn from the Committee on State Affairs and was referred to the Committee on Civil Jurisprudence.

#### Simple Resolution No. 4.

Senator McNealus received unanimous consent to send up the following resolution:

Resolved, That the Chairman of the Committee on Military Affairs, the Chairman of the Committee on Labor and the Senator from Wharton be appointed a Special Committee with instructions that they make thorough investigation of the strike of coastwise longshoremen at Galveston, its cause and efforts to arbitrate same; the sending of the State's military forces to Galveston, the declara-

tion and enforcement of martial law, and all details that the committee may be able to develop from the sworn testimony of witnesses called, and to report to the Senate their findings to the current called session of the Thirty-sixth Legislature, at the earliest moment possible.

The resolution was read.

On the motion of Senator Caldwell, the resolution was tabled by the following vote:

Yeas—20.

Alderdice. Dean.  
Bailey. Dudley.  
Bledsoe. Faust.  
Buchanan of Bell. Gibson.  
Buchanan of Scurry. Hertzberg.  
Caldwell. Page.  
Clark. Rector.  
Cousins. Smith.  
Davidson. Williford.  
Dayton. Witt.

Nays—1.

McNealus.

Present—Not Voting.

Strickland.

Absent.

Carlock. Suiter.  
Hopkins.

Absent—Excused.

Dorough. Parr.  
Floyd. Westbrook.  
Hall. Woods.

#### Adjournment.

On the motion of Senator Caldwell, the Senate at 3:33 p. m. stood adjourned until Thursday morning at 10 o'clock.

#### APPENDIX.

#### Committee Reports.

Senate Chamber,

Austin, Texas, Sept. 22, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Finance, to whom was referred

H. B. No. 2, A bill to be entitled "An Act making appropriation of the

sum of sixteen thousand dollars (\$16,000.00) or so much thereof as may be necessary to pay the contingent expenses of the Fourth Called Session of the Thirty-sixth Legislature of the State of Texas, convened September 21st, 1920, by proclamation of the Governor; providing how accounts may be approved and declaring an emergency."

Have had said bill under consideration, and I am directed by said committee to report same back to the Senate with the recommendation that it do pass and be not printed.

DEAN, Vice-Chairman.

Senate Chamber,

Austin, Texas, Sept. 22, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 1, A bill to be entitled "An Act making appropriations to pay the per diem and mileage of members and per diem of officers and employees of the Fourth Called Session of the Thirty-sixth Legislature of the State of Texas, convened on September 21st, A. D. 1920, by proclamation of the Governor; providing how accounts may be approved and declaring an emergency,"

Have had said bill under consideration, and I am directed by said committee to report same back to the Senate with the recommendation that it do pass and be not printed.

DEAN, Vice-Chairman.

#### EXHIBIT "A."

**Ex Parte Deposition of Marion Douglas, Taken Before Chester H. Machen, Major of Cavalry, N. G. T., Assistant Judge Advocate at Galveston, Texas — June 23rd, 1920.**

My name is Marion Douglas. I have been a citizen of Galveston, Texas, for 23 years. My profession is that of Certified Public Accountant. For a period of three years ending June 1st, 1919, I was Auditor of the City of Galveston. I have taken an active part in the civic life of the city during the whole period of my residence here and am, therefore, qualified to express my opinion as to causes for the present situation in Galveston.

On May 1st, 1919, the City Commission of Galveston was composed of the following:

I. H. Kempner, Banker, Mayor-President.

George Sealy, Banker, Commissioner of Finance and Revenue.

E. D. Cavin, Lawyer, Commissioner of Police.

C. T. Suderman, Stevedore, Commissioner of Streets.

M. E. Shay, Printer, Commissioner of Water.

This Board had been in office for some four years, and had safely carried on all public work and kept Galveston in the foremost rank of cities in all war measures; they reluctantly agreed to stand for reelection. It has been the unwritten law that politics should be kept out of city affairs and this policy has given Galveston commission form of government, the best that could be attained. The office has always sought the man.

During the war a feeling of opposition had developed against authority of every kind and a political organization had been quietly and efficiently formed under the leadership of Frank S. Anderson, a resident of Galveston for about five years; Henry O'Dell, and others. These men formed a party and nominated five candidates, and in a series of public speeches made by the said Frank S. Anderson, Henry O'Dell and one O. A. Anderson, a leader of the International Longshoremen's Association, attacked the existing Board of Commissioners; the speeches of each of these men being inflammatory and tending to make class hatred; the City Commissioners made no campaign and at the election of May 8th, 1919, the new party elected all of its men. Frank S. Anderson was made City Attorney and Henry O'Dell was made Recorder; the policy of the Board since its election has been reactionary; the police force has deteriorated and the community has no confidence in the administration of affairs. The Board of Commissioners are divided among themselves and their policies are shaped and directed by the City Attorney. Labor has been better paid than ever before, but, in March, 1920, on orders from Headquarters in New York, the I. L. A., composed of longshoremen, engaged in loading and unloading boats operating between Galveston and New York, struck ostensibly for higher wages. Attempts were made by the steamship companies to handle their business with non-union labor; the striking longshoremen

have continuously prevented this non-union labor to work in safety; they, the non-union men, have been attacked and beaten on many occasions, all of which is a matter of official record. Pistols have been used; on one occasion an interurban car carrying non-union men back to Houston was attacked and fired on. No arrests were made in any of these cases and the intimidation was such that the steamship companies were unable to secure necessary labor to move the freight; the wharves became congested with goods, many of a perishable nature, and protests from all parts of Texas poured in. This situation led to an investigation on the part of the Governor, as a result of which Galveston was placed under martial law and the National Guard was ordered here to see that labor willing to work was not interfered with.

The arrival of the military troops had an immediate effect; the moral influence has been of the best; no business has been interfered with and work on the water front is being resumed, non-union labor feeling that they have ample protection.

The strike is still in existence and it is my belief that the troops should continue their work until it is settled. Union labor in Galveston is thoroughly organized and many workers, new arrivals in Galveston, are attracted to its ranks. The political leadership of the present City Attorney and his staff is the danger spots, and when military restraint is removed the situation can become acute.

The large majority of the citizens of Galveston are conservative, law-abiding people; they have by reason of war weariness neglected their duties as citizens and allowed a minority, well organized, to take from them the control of their destinies; this condition has passed and it is my conviction that Galveston will soon again resume her place, with good government and a thoroughly reorganized police force, in the ranks of Texas cities.

MARION DOUGLAS.

Sworn to and subscribed before me by the said Marion Douglas this 23rd day of June, A. D. 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of J. E. Pearce,  
Taken Before Chester H. Machen,  
Major Cavalry N. G. T., Assistant  
Judge Advocate, at Galveston,  
Texas, June 16, 1920.**

My name is J. E. Pearce; residence Tremont Hotel; office address upstairs on the Mallory Line Dock at Pier 25, Galveston, Texas.

I have lived in Galveston since 1896 and have had an office at my present address since 1899. I am at present working for the Galveston Wharf Company as Superintendent of Dock Labor, and also President and Manager of the J. E. Pearce Contracting & Stevedoring Company, Incorporated.

With the exception of from May 14th to the 27th, inclusive, during which period I was at Mineral Wells, Texas, I have been in my office every day since the Mallory Line longshoremen went on a strike on March 19, 1920.

From my office I have an unobstructed view of 25th Street looking south entirely across the city. Immediately after the strike of March 19th, 1920, I noticed laboring men, both white and colored, congregating on 25th Street on both sides along the building occupied by Ullman, Stern & Krausse on the east and that occupied by the Pierce Oil Corporation on the west. These men, or others of similar appearance, remained there constantly and their number grew from a few—say ten to fifteen—at first, to something like from fifty to a hundred a few days later, and in my opinion the larger number would be a more accurate estimate of the number doing picket duty daily while the Mallory Line was discharging the steamer which they finished on or about May 12th.

From observation I noticed that these men would stop all vehicles or pedestrians seeking to enter the Mallory Line wharf from the 25th Street entrance, excepting a few clerks working for the Mallory Line and in my department, who were permitted to pass through without molestation. The wagons and automobiles seeking to gain admission to the Mallory Line Dock, after being stopped by these men, would turn around and go back up town without entering the docks.

It is my understanding, from hearsay, that these wagons and automobiles were coming to the Mallory Line dock for the purpose of getting freight at that time on the dock and

belonging to Galveston merchants or to merchants at other points throughout the State, and especially Houston.

While I saw a great many vehicles and pedestrians stopped by these men, I do not personally know of an incident where any of the persons so stopped were assaulted by the men in question, but in conversation with various other parties, they related to me instances where they had seen people assaulted by these men—both black and white.

For instance, in talking with H. E. Culter, Superintendent of the Galveston Union Station at 25th and Strand, he related to me an instance where two young boys, aged in the neighborhood of eighteen or nineteen years each, who lived in either Alabama or Mississippi and came to Texas to visit their relatives at some small town up-state, decided they would come on to Galveston as they had never been here before, for the purpose of seeing the Gulf and the ocean going steamers.

When they arrived here and got off of the train at the Union Station, they looked across and saw a steamer lying at Pier 28 and decided they would go over and see the same. In doing this they were obliged to pass through the strikers' pickets stationed between the Union Station and the Mallory Line dock. When they attempted to go through this line, they were stopped by colored men and told that they could not come over to the wharf. The young men, for some reason or other, determined they were going to pass through and proceeded to do so. They turned to the west on 25th Street and Wharf and walked along the tracks to about 27th Street and were followed by a bunch of colored men. Evidently the boys decided that maybe it would be best to return to the station and cut across the tracks at 27th Street, going south towards the station platform and train shed. When they arrived at 27th Street and alongside the train shed, the colored men overtook them there and proceeded to beat them up. Culter stated that when he saw the colored men following these boys he went into the station and notified Police Officer Perrett that the colored men were following the boys and might attempt to harm them. He says that Perrett went to where the colored men were assaulting the boys, but before he reached there the colored men had mounted bicycles and rode away.

Mr. Culter also stated to me that he saw these same strikers and pickets, both colored and white, assault a young Mexican on 25th Street who attempted to pass out at the 25th Street entrance and he understood that this same Mexican had been working on the tracks for the Galveston Wharf Company and for some reason wanted to go up town and in order to do so was obliged to pass out at this entrance and through the picket line.

In talking with Chas. Newding, automobile dealer of 2308 Postoffice Street, he related to me an instance where he was present when the first officer of a Mallory Line steamer then lying at Pier 25 attempted to pass through the picket line and was stopped and severely abused by colored men doing picket duty.

In talking with Joe Foley, proprietor of a hotel at 2427 Church Street, he related to me two circumstances where men had been accosted, threatened and abused in the neighborhood of his hotel, and in one of the instances two white men were taken into the City Hall at 25th and Avenue H and given while therein a severe lecture and notified to leave the town and not come back. In the other instance white men were obliged, through intimidation by colored men, to proceed from the neighborhood of 25th and Church Street to the interurban tracks at 25th and Broadway and to catch the interurban there and leave the city.

During all the time that these pickets were on duty on 25th Street between the Mallory Line dock and the Union Station policemen to the number of from one to four were in that same territory and usually were on the east side of the street on the steps leading up into Ullman, Stern & Krausse's store and in virtually all the instances observed by me, where pedestrians and drivers of wagons and automobiles were stopped by these pickets. These same policemen took absolutely no interest in such procedure and remained calmly seated on the steps while the same was going on.

A bullet was shot through my office by parties unknown to me on the night preceding the firing into the interurban cars by some one while the men who had been engaged in discharging the Mallory Line steamer were being escorted out of town by

the Police Department in interurban cars.

J. E. PEARCE.

Sworn to and subscribed before me this 16th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of Henry Zenor  
Taken Before Chester H. Machen,  
Major Third Cavalry, N. G. T., As-  
sistant Judge Advocate at Galves-  
ton, Texas—June 15th, 1920.**

My name is Henry Zenor (colored). I live at 1311 Avenue M, Galveston. I have been at work for the American Warehouse Company soon after the strike was on here. There were two truck loads of men brought in here to work and when the trucks were about 25th Street and Avenue A, the strikers attacked two of the men and struck them several times. The men said that they did not know any of the men that did the fighting. There was more than twenty of the strikers gathered there. There was no policemen there at the time. Two detectives came up later. Four or five policemen also came up, but no one was arrested. Nothing was done. The crowd was not scattered. I quit the American Warehouse Company because I was afraid I would get beat up.

HENRY ZENOR.

Sworn to and subscribed before me this the 15th day of June, 1920.

CHESTER H. MACHEN,  
Major of Cavalry, N. G. T.  
Assistant Judge Advocate.

**Ex Parte Deposition of Jess Fry,  
Taken Before Chester H. Machen,  
Major of Cavalry, N. G. T., As-  
sistant Judge Advocate at Gal-  
veston, Texas—June 19th, 1920.**

My name is Jess Fry, Freight Forwarding Agent, 2405 1-2 Strand Street.

I do not recall the date, but I saw an electric truck loaded with white men going down 25th Street on their way to work on the Mallory docks. A mob of perhaps 100 attacked the truck and chased the white men in different directions. Among them were two ex-soldier boys about 22 or 24 years old who wore two service stripes that were made to flee for their lives up the steps of the Gal-

veston Dry Goods Company, opposite my office. Later they came over to my place and made the statement that they were "broke and hungry" and came here to go to work with the results as stated above. This was about May 15th. As near as I can recall, the fighting was almost a daily occurrence at the intersection of 25th and Strand Street, made up of both black and white men, but never was there a policeman on hand.

One day, on my way to lunch at the Harvey House in the Depot, four or five negroes attacked a white man and a lady leading two children ran into the depot. I saw a policeman named Perrett and asked him why he did not stop the fight—he turned and walked into the depot, smiling, and said, "I guess they can take care of themselves."

JESS FRY.

Sworn to and subscribed before me this 19th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.  
Assistant Judge Advocate.

**Ex Parte Deposition of C. M. Hess,  
Taken Before Chester H. Machen,  
Major Cavalry, N. G. T., and As-  
sistant Judge Advocate at Galves-  
ton, Texas—July 1, 1920.**

My name is C. M. Hess, laundryman; member of the firm of Model Laundry. I have lived in this town for twenty years and am a tax payer.

On or about possibly the 15th of May, while taking dinner at the Avenue Restaurant located on 25th Street between avenues C and D, a disturbance occurred between a Mexican strike breaker and the local pickets. A crowd composed of whites and blacks beat up said Mexican in the alley adjacent to the Avenue Restaurant. After a time the Mexican was able to rise, although badly injured, and I left the scene. What further occurred, I do not know. I have seen numerous other fights at a distance which were almost of a daily occurrence and I have never seen a police interfere or heard of any arrests being made for these assaults.

Since the arrival of the National Guard, these disturbances ceased.

C. M. HESS.

Sworn to and subscribed before me this 1st day of July, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of C. A. Davis,  
Taken Before Chester H. Machen,  
Major Cavalry, N. T. G. Camp,  
Judge Advocate at Galveston,  
Texas, July 14th, 1920.**

My name is C. A. Davis. I live in the City of Houston, Texas; my address is ————. I was a member of a party who drove some cars down to Galveston some time during the month of May, 1920. I don't know the exact date, but it was the day before there was a riot on an interurban car down there. There were seven cars which started from Houston, but one of them broke down at Webster, and only six cars went to Galveston. These cars were loaded with men. We drove down to the Mallory line dock, and after we had got down there we realized that we had carried a bunch of scabs in there, but not knowing it until then. There was a doctor who came in there to wait on one of the boys who had been hit in the back of the head. That was a man from our crowd. When this doctor came down there I asked him if there wasn't a chance to get the Chief of Police down there and let us ask him for protection; those men around there claimed if we started out we were liable to get killed. I asked him to get the Chief of Police down there and let me talk to him and explain that we were absolutely innocent in so far as knowing that we were bringing the scabs in there. The Doctor said he would see what he could do. He left and in a little I saw the Chief of Police and the Sergeant standing there, and I went over there and I said "Are you the Chief of Police?" and he said he was. I said "Chief, what are you going to do about this?" He said "You got in. Didn't you?" And he said "You will have to get out. All you have got to contend with is just Galveston." I said "Is that all?" and he said it was. I said "Suppose I run over one of those men with my car, what will you do?" He said, "We will handle you for that." I said "Suppose one of them grabs hold of me and drags me out of the car?" He said "Well, we might not see that." I said "Well, shoot men." I meant for us to go. I didn't shoot. Now that is the truth. I took advantage of the situation, and sent the other cars out first, figuring that the rocks and bricks and so would play out before I got there and so I dropped down on my knees in the car and shot out of there;

that is, I just drove out of there. I didn't shoot any. I turned down the first alleyway after I crossed the railroad track and that led me right up to the police station. One fellow hit me with a rock and knocked the nail of this finger off. There were white men and negroes in that crowd. I turned off out of that alley way and hit Broadway and drove down to the Galvez Hotel and stopped my car in the driveway there and dusted it off and went over on the beach and got me some cigarettes and went on down in town and stalled around and then drove on out towards the causeway and when I got to the causeway there stood two white men and two big negroes. They were waiting for me. They stopped me and asked if it was a rent car from Houston and I told them it was. I said "What are you stopping me for, are you the law?" I thought I would just run it over them a little. I had to do something. I said "What do you want?" and one of them said "There is one smart son of a bitch that thinks he is cute. He cannot get out except through here, and he looks like you?" I said "What did he do?" They said "He drove up on the dock with a bunch of scabs, and if we catch him we will kill him and throw him in the bay and throw his car in too." I said "All right, if that is what you want to do I will help you." They said "That is all right, you go ahead, but if we catch him we will kill him." And I went on off the causeway, and I didn't get scared until I got to the end. These police officers didn't do anything with that crowd; they were laughing and talking with them. There were about fifteen of them on that boy beating him, and he finally got away from them and ran to the depot and they caught him and beat him again, and he had to go to that infirmary down there, and the policemen were right there in the bunch all the time. When that thing started, they all left. I didn't see a one in that alleyway when I went through it. A big negro jumped up on that truck and the boy knocked him off with a piece of spring. They selected Hodge's car because it was the last one, and the white man held him and two negroes whipped him; they whipped him with his automobile pump. They broke his arm and knocked his teeth out and blacked his eye; they nearly killed him.

C. A. DAVIS.

Subscribed and sworn to this 14th



day of July, A. D., 1920, at Houston, Texas.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.,  
Camp Judge Advocate.

**Ex Parte Deposition of L. C. Hodges  
Taken Before Chester H. Machen,  
Major Cavalry, N. G. T., and Camp  
Judge Advocate at Galveston  
Texas District, July 14th, 1920.**

My name is L. C. Hodges; I reside in the City of Houston, Texas, at 1718 Texas Avenue. I am employed by the 7777 auto line. I remember the occurrence at Galveston when there were some cars driven from Houston to Galveston when there was some trouble on at the Mallory Dock. I don't know the date of that, but it was just the day before the riot on the interurban down there. We started to Galveston with six cars and one had trouble and only five went to Galveston. We carried some men down there from Houston. When we reached Galveston, we went right to the dock, and we didn't see anybody until we got right to the railroad track, then a big crowd rushed out there. There were both white men and negroes in that crowd. When the policemen saw us coming, they ran the other direction; there were three policemen right on that corner. I saw both the Chief of Police and the Sergeant. They came up there and asked if we had permission to drive onto the dock, and we told them that we didn't know it was necessary to have a permit; and they said it was necessary when there was a strike on. We told them we didn't know there was any strike on. We told them we just wanted to get out. These negroes had clubs and rocks and one negro had a six shooter. When we went in, there was some throwing; there were some rocks and sticks thrown and one fellow was hit, but they didn't hit any of the rest of us. They drug one fellow off the truck and hit him in the head. We asked the policemen for protection and they cursed us and said: "You dirty sons of bitches, you haven't any business down here, you ought to be whipped anyway. You get out the best way you can, you got in here." We told them we didn't know there was a strike, that we wanted to get out, that we wanted to get out, and we asked for protection, and we told him that he was the chief of police and we

asked for protection and he said "Well, I will see what I can do, I will give you protection." And he and the police sergeant went out into the crowd and came back in about five minutes, and said "Get your cars, and I will give you protection." We got into a line and started out. This sergeant got on the first car, I was in the third car; this boy in the first car said the sergeant jumped on his car and said "You dirty bastard, they ought to kill you." As we got to the crowd the Sergeant jumped off and raised his right hand, I guess to give a signal, and the crowd started throwing bricks and rocks and sticks. They cursed us for sons of bitches and everything they could think of; we couldn't do anything but run. I didn't get a scratch, and some of the others got their windshields broken and things like that. We kept running. We got down to Broadway and looked back and could see cars following us, but we didn't know who they were. There was a Super Six that tried to pass me, but I got in front of him and kept him from running past me, and they kept running into the back of my car. There was a Ford coming along there, but my car was just a little faster than his. There were three or four men in that car, and one of them was a chauffeur down there at Galveston. We went on that way until we got nearly to the causeway and my lights burned out. I hadn't crossed the causeway in a good while and I was not familiar with the turns and I had to slow down and they would run into the back of my car and when I went to make the last turn at Virginia Point they run into me and hit me so hard that they killed my engine and when they did that they jumped on me and beat me, knocked out five teeth, cut my nose and cut my hand, and I was as bloody as I could be. They beat me with jacks and an automobile pump; one of them had the pump in his hand when he came at me. When they first jumped out of the car there was a negro who had a knife, and one of the other men said "Don't cut him, he is nothing but a kid, we will just whip him." When they got through with me, they said, "you go on now, you dirty bastard, don't you come back to Galveston any more. We ought to kill you and throw your car in that bay." My emergency brake was on and I couldn't crank my car and I went to reach down in the car to release the brake and they came up and grabbed

hold of me and searched me. One fellow said "Let me see you. I think I know you. I am a Houston chauffeur." And he hit me on the hand with a wrench, and said, "You go back to Houston and tell the other sons of bitches what we did." "You can go on, I am after the two big sons of bitches." That was Kid Davis and Jim Brown. I would know that chauffeur if I saw him. He is in Galveston now. His name is Louie Fleming and he has a paralyzed hand. I went to La Marque and one tire blew out but I didn't stop to change. I met the rest of the bunch at Dickinson. There were five men who participated in beating me. Two white men and two negroes.

L. C. HODGES.

Subscribed and sworn to before me this 14th day of July, A. D. 1920, at Houston, Texas.

CHESTER H. MACHEN,

Major of Cavalry N. G. T.,  
Camp Judge Advocate.

**Ex Parte Deposition of C. O. Humphries, Taken Before Chester H. Machen, Major Cavalry, N. G. T., and Camp Judge Advocate, Galveston, Texas, July 15th, 1920.**

My name is C. O. Humphries; I live in the City of Houston, Texas, and my address is 56 Vida Avenue. We got an order to carry some men to Galveston, I didn't know what they were, we just got the order for so many cars. I was driving a truck which took the supplies. When we got to Galveston we drove up to the Mallory Line wharf, and when we got down to the railroad track there was a gang of men who rushed out and they grabbed a man off the truck and beat him up; this man finally got loose from them and started running, and he was knocked down right in front of that depot and they deliberately stamped on him and walked on him and in his face, and they cursed him. There is a platform there on the right hand side and there was a policeman standing there on that platform and he stood there and watched them beat that man up. When the crowd began to get thick, there was another policeman standing on the left hand side of the street and those policemen run off. I was hit on the arm with a stick as I went in, and I also got hit in the side with a rock as I came out. I didn't get specially hurt. My arm was swollen up for two or three days so I couldn't work. I

didn't know any of those parties. One of the drivers in our party, L. C. Hodges, was pretty badly hurt; they caught him on the causeway and beat him up and knocked his teeth out. I didn't hold any conversation with that bunch of men, I was trying to get out, and they were trying to overtake us. We told the policemen what we were up against, and that we just wanted to get out and they said all right, to get the cars started, and they rode to the crowd; that is rode on the car, and then jumped off and said "Run, and run for your damned lives." I heard the chief of police say that. The Chief of Police didn't run when he said that, he stood there in the crowd and they didn't bother him at all. They didn't make any effort to hurt him. The policemen didn't make any effort to stop anybody or arrest anybody. They told us to run and do it fast. That bunch tried to beat us to the causeway, and I had that truck and wouldn't let them pass me, I would zigzag across the road. Hodges burned his lights out and they caught him and beat him up. Hodges is a weakly looking boy, he is not strong, he looks like he was ready for the grave. I think this matter occurred some time about the 10th of May, 1920, it was just before they shot into that interurban down there.

C. O. HUMPHRIES.

Subscribed and sworn to before me this 15th day of July A. D. 1920, at Houston, Texas.

CHESTER H. MACHEN,

Major of Cavalry N. G. T.,  
Camp Judge Advocate.

**Ex Parte Deposition of Sam Sauperi, Taken Before Chester H. Machen, Major Cavalry, N. G. T., Camp Judge Advocate, Galveston Division, July 14, 1920.**

My name is Sam Sauperi. I live in the City of Houston, Texas. My address is 3407 McKinney Avenue. I am assistant manager of the U. S. Auto Livery. I am one of the men who went to Galveston during the month of May with a bunch of men in some cars. We had an order for seven cars to take some men to Galveston; the cars were loaded with both negroes and white men. We got as far as Webster and one of the cars broke down. So we crowded the men who were in that first car

into the other cars and went on. The six cars went to Galveston. I didn't know anything about a strike, and had never been in one. We went on to Galveston and just as we got to the Mallory Wharf a big crowd of men jumped out from behind some railroad cars with sticks and bricks and clubs, and when we wouldn't stop they commenced throwing at us. I believe Jim Brown, who was a Lieutenant, was driving the second car, and I was in the third car. The sixth car was a truck, and there were about five men on that truck, and they grabbed a fellow by the leg and jerked him off the car and just jumped on him and stamped him and beat him up, and he finally jumped up and ran as fast as he could. There was a policeman standing there by where that saloon used to be, and he just stood there with his arms folded and never paid any attention to them. There was a fellow in the second car that was hit in the eye, I think it was his right eye, and he got his jaw bone broken. I don't know where the fellow is now. The doctor came down there about that time to attend to this fellow. That bunch of men stood out there and cursed us for everything they could think of. I got to a telephone and tried to telephone and get the Chief of Police, and they said there was no use, that he was a member of the Longshoremen's Union. I couldn't get any help. Brown, Halgon and I just stood there near the door of the Mallory Line dock about ten feet back from the door and those fellows to take our cars back in there, that we were going to run out. While I was standing there somebody who looked like a policeman (they said it was the Chief of Police, or something like that) and another fellow, a sergeant, came up there. This sergeant was a tall fellow with black mustache and was wearing a white hat. I didn't notice whether he was wearing a gold star badge on his coat. I walked up to the Chief and told him I was in charge of the cars and had to get out of there, and the Chief asked me what I was doing there, what I was trying to do, and I told him we had brought some men down there, and he said we didn't have any business there, but he would try to get us out. The Chief

and the Sergeant then walked across the road towards where these men were, and I waited there and the Sergeant motioned for us to come on, and I told the boys to come out two abreast. I thought it was a fake, a frame-up, but we couldn't do anything else, and we started, and this Sergeant came about half way across the railroad track and met me, and he got on the running board of my car, and I swung around and took the lead, and just before we got to to crowd this sergeant gave a signal of some kind and the minute he got off my running board they began throwing bricks, and they hit me in the back of the head and knocked my wind-shield out and broke my lights out. I went on out towards the causeway, and about the time I got out there to John's place I heard a big shriek behind me, like there was a big Hudson coming, and I had the fastest Ford in the bunch and I started on for the causeway, and this boy said for God's sake drive. There was a freight train coming, and we beat it across the causeway, and we didn't stop until we got to Dickinson, and we hid the cars there and waited for a while, and after a bit we heard a rattling noise coming, and it was this L. C. Hodges; he was the fourth man. Hodges' face was a mass of blood. One of his tires was off at that time and he was just coming on. He said they had caught him on the causeway. The strikers were out in the road, and the policemen were standing on the corner, and I wouldn't say whether the policemen talked to the strikers. I stood there in the door and watched them beating that fellow up, but I couldn't go out there. The policeman was standing there and saw all of them, and that Sergeant was on the running board of my car when they hit me. They said to me "God damn you, you haven't any business down here. You haven't any business coming down here." I said, "Yes sir," and they began cursing us and cursed us for every son of a bitch and everything else in the world. The Chief of Police and the Sergeant were right there at that time, and it looked like the Sergeant made a signal like this (raising his hand). It seemed like it was a frame-up to get us into the crowd. The last cars that came out

didn't get hit because the rocks had all been thrown and they got through o. k. I have been back to Galveston since that time, but I haven't been back with these U. S. cars. Hodges is the man who had his teeth knocked out. I don't remember the date on which this occurred, but I could look on our records and get the date. I think we were down there just before they shot into that interurban car; I think it was on Monday before. If that car was shot into on the 11th of May, we were down there on the 10th of May. There were about six or seven hundred men in that crowd and we had no way in the world to get out. It made me awfully sore to see a white man helping those negroes beat that boy up that way. Humphries was the man who was driving the truck, and he could see more than anybody, because it was open. The only thing I could say about the police is that the Chief of Police and the Sergeant were in the crowd and it looked like this sergeant helped us into this trouble. Jim Brown was the last man to get out and they caught him, and then turned him loose and then they arrested him. Brown was one of our drivers. I didn't see the police arrest anybody else. I don't know where Jim Brown is now.

SAM SAUPERI,

Subscribed and sworn to before me this 14th day of July, A. D. 1920, at Houston, Texas.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.  
Camp Judge Advocate.

**Ex Parte Deposition of Joe Druss,  
Taken Before Chester H. Machen,  
Major of Cavalry N. G. T., As-  
sistant Judge Advocate, Galveston,  
Texas, June 22, 1920.**

My name is Joe Druss. I live in Galveston, and my place of business and residence is at 2512 Avenue D. I am engaged in the mercantile business and have been in said business about nine or ten years.

About three weeks ago, a Mexican entered my store to purchase a pair of trousers and while this Mexican was in the store, I noticed some negroes walk in and look him over. A crowd of negroes attacked this Mexican after he had left my store and beat him up. They crowded him up

and he ran back into my store. He was bleeding all over. This crowd broke the windows out of my show case. I did not say or do anything because I was afraid. There were no police officers there. One police officer came up afterward and the crowd was still there.

There was no one arrested; some one put the Mexican in an ambulance and carried him away.

JOE DRUSS.

Sworn and subscribed before me this 22nd day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of Christon  
Saldon, Taken Before Chester H.  
Machen, Major of Cavalry N. G. T.  
Assistant Judge Advocate at Gal-  
veston, Texas, June 19, 1920.**

My name is Christon Saldon. I was born in Texas and I am by nationality a Mexican. I have lived in Galveston about five months, employed at the John Sealy Hospital.

About the 29th day of May, this year, I came up town from the hospital. I was standing on the corner of 25th and Market Street waiting for a street car. There was a white man standing there and he asked me where I was working. I told him I was at work at the John Sealy Hospital. He then said, "Yes, you son of a bitch, you work at the hospital" and struck me in the face and knocked me down. When I got up, I asked him why he struck me and he said, "You son of a bitch you work at the Mallory Line." He then struck me several times more. Two other men came up at this time and asked him why he had struck me and he told them that I was working for the Mallory Line. There was a negro policeman present. He was a black, low heavy man. He said, "We will lock these two fellows up," meaning me and another Mexican boy that was with me. He then arrested myself and the boy that was with me and carried us to the City Hall. Two white policemen came for us in a car. The policemen did not arrest the man who had beaten me up. When we got to the City Hall, the policeman asked me where I was working. I explained to him where I was at

work and he then said, "You are all right." They then told us to go home.

CHRISTON SALDON.

Sworn to and subscribed before me this 19th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of Albert White,  
Taken Before Chester H. Machen,  
Major Cavalry N. G. T. Assistant  
Judge Advocate at Galveston,  
Texas, June 15, 1920.**

My name is Albert White. I live at Port Arthur, Texas. I came to Galveston this evening to work on the Mallory Line docks, but I have not worked any. I was out to get a drink of water and while standing there I asked Mr. Casey if they will feed me, and he replied that he hoped that they killed me. If they did so that they would be doing the proper thing. He had a gun on and upon replying to me in a harsh tone of voice he frightened me so that I walked away. I later learned that he was an officer. After this man talked the way he did, I walked away and therefore I could not hear what he was saying but I know he was saying something pertaining to bolshevism.

ALBERT WHITE.

Sworn to and subscribed before me this 15th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of G. L. Stevens,  
Taken Before Chester H. Machen,  
Major of Cavalry N. G. T., As-  
sistant Judge Advocate at Galves-  
ton, Texas, June 16, 1920.**

My name is G. L. Stevens. I am the General Manager of the firm of Clarke & Courts. Some time between the first and fifteenth of May, 1920, on a Tuesday night, myself, F. W. Erhard and several other gentlemen were in the Four Seasons Restaurant on 21st between Market and Mechanic Streets. At this time I did not know of any disturbances in the city. That night, the first thing that attracted my attention was a loud

noise. In just a second an interurban car came by with the shades all down surrounded and followed by a crowd of about two hundred negroes and whites howling and hollowing, making a great disturbance. Later in the evening I learned that some of the firms were sending the non-union men out of the city that had been at work on the Mallory Line docks and this riot was following them. I did not see any city officers there. If any arrests were made, I never heard of it.

It was a common occurrence for information to reach my ears that abuses and assaults were being made daily upon men who were trying to go to work.

G. L. STEVENS.

Sworn to and subscribed before me this 15th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of R. G. Brad-  
ford Taken Before Chester H.  
Machen, Major of Cavalry N. G. T.  
Assistant Judge Advocate, Gal-  
veston, Texas, June 15th, 1920.**

My name is R. G. Bradford. I live at Apartment A, Wilder Building, Galveston. I am employed by the Mallory Line as Chief Clerk. On Monday morning, May 10th, 1920, I had been ordered to go to Port Arthur for the Mallory Line on the Mallory Steamship "Comal" which was ordered to sail at 6:00 o'clock a. m. Myself and clerks, T. C. Dozier, H. M. Keating, G. H. Bader, and C. M. Clark, met at the office at 5:30 a. m. to go on board ship. We went down Strand Street to 25th and as we turned on 25th toward the docks, a negro came running toward us from over by the Union Station and as he ran, said, "Come on, boys—here's where the big battle starts." We kept on walking, and as we reached the railroad tracks he was in front of us and asked where we were going. I told him we were going out of town. He asked how and I told him on the "Comal." He said, "No you don't—you don't pass here—if you do, here's where the killing starts." I put my grip on the pavement and

turned towards two police officers who were standing at the alley way by Ullman, Stern & Krausse and motioned them to come to us, but they only came as far as the corner of the platform in front of the store and stopped. I turned and went back to where they were and told them the men would not let us go through to the docks, and all he said was "I don't know anything about it." I then took the letter from Mr. F. T. Rennie, General Agent, Mallory Steamship Company, from my pocket and showed him my authority to go on board and he again said, "I don't know anything about it." There were two officers on duty, one in uniform and one in plain clothes, but with an officer's badge pinned on. The uniform man did the talking. We then went back to our office and I phoned to Mr. Rennie and told him what had happened and asked for instructions. He said he would phone the Chief of Police and get some one to take us through to the docks, and this was about 5:45 a. m. No one came and I phoned the Chief of Police again at about 6:30 a. m. and was told that the High Sergeant would be by for us. At about 6:45 a. m. he came and told us to go on down and to the docks, that no one would hurt us, which we did. We went to 25th at the railroad tracks and stood there. The pickets had dispersed and were laying down on the ground, sitting on steps, etc., and as we went through cast several remarks at us and the ones I remember were, "We will get you when you come back." "The first one of you I see when you do come back is my meat," and "We will fill your ass full of bullets when you do come back," and "We will get you when you do come back, you can't stay always," and others I don't remember. We got on board safely, and the steamer sailed at about 7:00 a. m.

If the police officer in uniform was brought before me, I believe I would recognize him.

R. G. BRADFORD.

Sworn to and subscribed before me this the 15th day of June, 1920.

CHESTER H. MACHEN.

Major Cavalry N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of Abram Lewis,  
Taken Before Chester H. Machen,  
Major Cavalry, N. G. T., Assistant  
Judge Advocate, Taken at Gal-  
veston, Texas, June 15, 1920.**

My name is Abram Lewis. I live at Port Arthur, Texas. I came to Galveston this p. m. to work on the Mallory Line Docks. I had not worked any. I was sleeping on the docks tonight. A man came to the door of the docks—we were on the inside. This man said to another man (I later learned he was an officer)—"You know it is a damn shame that these negroes came down here to work under those other fellows. They ought to come down here and kill them all and burn the damn shed down on them, and for my part I would put oil on them and put wood to them." I saw this man with a gun on him. The other officer said, "We have nothing to do with that, we can't help it," and this man said, "Well, it is not right." I learned also that the man who was doing the talking was an officer.

ABRAM LEWIS.

Sworn to and subscribed before me this 15th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of Loney Parish  
(Colored), Taken Before Chester  
H. Machen, Major Third Cavalry,  
N. G. T., Galveston, Texas, June  
15, 1920.**

My name is Loney Parish, 1640 Avenue J, Broadway, Galveston, Texas.

I have been working for the American Warehouse Company eleven years. Three weeks ago a walking delegate came up to me while unloading Mallory Line freight, wanted to know if we were aware of the fact that we were in danger. I said, "No, that I did not know." He then said that we were risking our lives. We were going by the Santa Fe depot and five or six of the union men called to us and asked us if the freight was from the Mallory Line. We said yes; they then called us scabs and I replied that we were not scabs, that we had been hired by the American Warehouse Company, and that we were only doing what we

had been told. Strikers then replied for us to go ahead, that we were liable to be killed at any time or even before we went thirty steps further. The strikers were gathered in crowds of five or six in different places. No police officers in sight. I have not known of any arrests being made. I do not think there was any made, or I would have heard about same.

LONEY PARISH,

Sworn to and subscribed before me this the 15th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of John W. McCullough, Taken Before Chester H. Machen, Major Cavalry N. G. T., Assistant Judge Advocate at Galveston, Texas—June 19th, 1920.**

My name is John W. McCullough, residence 3301 33rd street. Office address 2328 Avenue B, employed as accountant with Hutchings, Sealy & Co., Bankers, Galveston, Texas. I have lived in Galveston since 1915.

On the evening of May 11th last, I drove up to and stopped at the corner of 23rd and Mechanic Streets at 8:00 o'clock p. m. Before getting out of my car, I noticed a crowd on Strand. A crowd of several hundred men were running down the street and coming off the wharf front into Strand and all were going east on Strand. I drove down the street, avoiding the crowd with difficulty. Several negroes attempted to board my car, and fearing trouble put on speed and went on to 20th street, turning south there, thence west on Mechanic street and stopped in front of the News Building, where I got out of the car. I saw a crowd of men running from Strand into 21st Street and boarding an Interurban car standing near the corner. A large crowd, mostly negroes, followed them closely, cursing and abusing them. "Kill them—Just let us catch them," were among remarks I heard.

After they had boarded the car and pulled down the curtains, a brick was thrown through the window. I heard in a group of several negroes, as the car pulled out "Let's get an auto and meet them in the west end," or words to that effect. Also, I heard a policeman say, "We'll get rid of the God damn scabs,"

Later I saw the Interurban car pull out of the station with a large crowd cursing and abusing the passengers. No arrests were made.

JOHN W. McCULLOUGH.

Sworn to and subscribed before me this 19th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of E. Nunez, Taken Before Chester H. Machen, Major of Cavalry, N. G. T., Assistant Judge Advocate, at Galveston, Texas, June 21st, 1920.**

My name is E. Nunez and am employed by Captain Jno. Jacobson as Superintendent.

On May 27th, 1920, while engaged with a gang of men on Pier No. 5, known as the Gulf Refining Company's Pier in the east end of Galveston Island, I noticed two men in a skiff rowing near the pier where I had these men working. I walked out on the pier just opposite of where these two men were in the skiff and saw that these two men in the skiff were two former union employees named T. R. Pait and J. Zapatoski. I asked them "what they wanted," and they replied that "it was none of my damn business" and if I wanted to find out to jump down in that skiff and I would soon find out what was wanted, as I was the guy to blame for the scabs being on the job, and sooner or later this man T. R. Pait said that "they would get my scalp."

I ordered them away from the works and they replied to come and take them away.

They rowed around the pier several times after this and finally disappeared.

E. NUNEZ.

Sworn to and subscribed before me this 21st day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of Fred T. Veers, Taken Before Chester H. Machen, Major of Cavalry, N. G. T., Assistant Judge Advocate, at Galveston, Texas, June 16, 1920.**

My name is Fred T. Veers. I live at 1332 24th Street, Galveston, Texas.

I am 48 years of age. I have been working for the Morgan Line Steamship Company (Southern Pacific Company). Intimidation was started with my wife on or about April until the middle of May over the telephone. A stranger called my house on the telephone about four times one month, telling, and at the same time warning her of my continuing to work with the Morgan Steamship Company, that I was on dangerous property and was liable to be killed at any time, which frightened her so that she had a nervous breakdown, but was later pacified by Mr. Wilkins, General Agent of the Morgan Steamship Company. Last Wednesday I was walking down 24th Street and Avenue L towards my home, about the hour of between fifteen of seven and seven p. m., and was almost halted by two men, strangers, and called me a Dutch scabbing son of a bitch and bastard. One of these men had his hand in his pocket. About three days ago, I was sitting on my porch which is heavily covered with vines and shrubbery, and was thrown at by some unknown party with a brick. I did not see anything of him. As far as I am concerned the police of the city of Galveston furnish very poor protection.

FRED T. VEERS.

Sworn to and subscribed before me this the 16th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of G. C. Casey,  
Taken Before Chester H. Machen,  
Major Cavalry, N. G. T., Assistant  
Judge Advocate at Galveston,  
Texas, June 16, 1920.**

My name is G. C. Casey. I live at 1906 Avenue H. I am an officer, member of the Police Department of this city. I have been working in the Department on or about two months I am a union man. Member of Hotel and Restaurant Employees' Union. Nine per cent of the police force are union men. All of the men, or a large part of these men, belong to the Longshoremen's Union that work on the wharf. When taking this job I asked the Sergeant who I was working under. I asked him my duties on the wharf. He said to allow no one to smoke. To keep an accurate time on punching my

clock. I asked the Sergeant if I was to stop the many cases of whiskey that were being brought in by the carloads aboard the ships. He told me that the Custom House officers would look after that. I asked about the whores going aboard the ships. There was a whore house on one side and a saloon on the other. I asked him as to the women that went aboard the ships. He said not to bother them as long as they were on board the ship. In my knowledge there has been very, very few arrests made in reference to bootlegging. There was lots of gambling houses without being molested in any way. I told him I could not punch a clock, dodge brick bats, and bullets at the same time. He replied not to get hurt. I asked him about the disturbances that the strikers were making. He said the less you talk, the better off you are, also the less you do. An officer on the docks told me last night that I was a hell of a God damn union man to help dock the boats. I do not know his name but he worked at the east Mallory shed. I, as an officer, have never made an arrest while on the Police Department for attacks and assaults made by strikers.

The reason I did not arrest any of these men was because the Police Sergeant told me the less I said and done the better off I would be. This was an everyday occurrence. Men were beat up every day and no arrests made. There was no effort made by the Police Department to keep order. Whiskey is sold in every whore house in town. There is a whore house in 513 Church Street, 2727 Post Office, Ruth Wilson and Madge Wilson. I know an officer by the name of Pratt who has been on the Beach beat that gets whiskey off the ships and sells it to anyone. The general talk among the police when the soldiers came here was they were coming to start something they could not finish.

Question by Major Machen:

Mr. Casey, you said that when the soldiers left Galveston, Hell was going to pop. Why did you make that remark?

Answer. They seem to think that while the soldiers are here they have no chance, but when the soldiers leave, they will settle it one way or the other.

Question. Who do you mean by they?



Answer. The strikers and the police force, because they are in sympathy with one another.

Question. What does the police force call the soldiers when they refer to them?

Answer. Hobby's Pets, Military Pricks, Scab Protectors, and various other names.

I know I did wrong last night but I want to promise the authorities from this on, because I want to get on the side of the law. The whiskey which I was drinking last night I got off of the Banham Boat. To my knowledge this boat had about 100 cases of whiskey. There is a boat coming in tonight or in the morning by the Mallory Dock, Cattle Dock, Pier 28, coming from Cuba. It is expected to have two or three hundred cases of whiskey from Cuba.

G. C. CASEY.

Sworn to and subscribed before me this the 16th day of June, 1920.

CHESTER H. MACHEN.

Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

Statement made and signed in presence of

Captain M. E. Carothers.

Sergt. Major Frank Verduca.

Major Chester H. Machen.

**Ex Parte Deposition of George C. Harrison, Taken Before Chester H. Machen, Major Cavalry N. G. T., Assistant Judge Advocate, Galveston, Texas—June 16, 1920.**

My name is George C. Harrison. I am City Detective in the City of Galveston, Texas. I have been such City Detective since about last May a year ago, going on two years now. I work all over the City.

I don't remember when the strike was called here—I didn't pay any particular attention. I can't even give you any idea of it. I don't know that it was last March—I don't know when they went on a strike.

I remember the incident of a riot when some interurban car was shot into; that was May 11, this year. We went to the office that day and the Chief detailed about twenty of us, might have been 22 or 23; and he said—"Wait in the office until I come back," so when he came back in he called us all out by two's and three's and gave us different directions to go to the Mallory Wharf and we went on, Ser-

geant Spencer in the lead—he was the first one in the lead. After we got there the chief came and so did Chief Detective Dave Henry, he came. Then they began to get up altogether, and we started out of the east end of the Mallory shed and came right on down the tracks to Twenty-first and Avenue A, the crowd following us, hooting at us, and threw a few rocks or something. There were about seventy-five people in the crowd at the beginning; and then as they came down it was four or five or six hundred, something like that—I couldn't say, but a big crowd. They were just talking loud. From the docks down they were calling the people on the cars scabs. Get them out of town and we want to see them! We want to see them so we'll know them. We're not going to do anything to them. (We were close enough to hear that). We aren't going to hurt them, just want to see them so we'll know them.

There were a dozen or so officers in the rear hollering to the crowd—Go back—go back! They would then stop and the lead would start off again, and then they came on. We didn't arrest any of them because they didn't do anything, hadn't done anything. Nobody was hurt at that time. They were following us but nobody was hurt.

We got these men on the car, and I guess when we got there it was five or ten minutes of eight, and we went on down to the Interurban Station. On our way down a couple of windows might have been broken out by this crowd throwing rocks of some kind, and when we got to the Interurban Station the eight o'clock interurban passenger car came out of the station and we backed inside. Then the crowd got closer, and they came on up to the station, but I don't think any came inside of the station at all, but stood all around the streets. And then started with the car again after that, which was about between quarter past eight and half past, and when we got to Twenty-first and Broadway and went out Broadway west, some of the officers understanding that they were to get off on Fortieth Street, eight or nine got off there, maybe ten, and as the car was passing we hollered to them that we were going across to Virginia Point, and three ran and caught the car; the others couldn't catch it because it was going too fast, and I think we got to Fiftieth or Fifty-first, I can't tell which, when this shooting started—shooting into

the car. They were shooting into the car and a ball passed through and hit me in the leg. I was the only one shot. I don't know who shot me—one of the standers on the street.

The officers never put any pickets along the line of this interurban car. The Chief and Mr. Dave Henry and three or four followed this car as fast as they could in an automobile. They followed behind; but the automobiles on Broadway at that time of night are usually passing, going and coming, a good many. The Chief and no one else sent out an advance guard ahead of the interurban—not to my knowledge.

There were four or five hundred people in a mob down there in town, but they didn't follow us out of town—wasn't hardly anybody there then, just a few were stationed out there—three or four doing the shooting. I really don't know how many there were.

We didn't arrest anybody that night because we had to take up an investigation, and we started that night and we have arrested four men, and they went before the Grand Jury. That was two or three weeks ago—It takes time you know to pick up evidence enough to find out who did the shooting.

I haven't arrested any men since this strike has been on, for assaulting, intimidating and abusing people who are trying to work here. I haven't arrested anybody this year for handling whisky. I am not on that squad. I couldn't tell you how many people I have arrested for operating houses of prostitution this year—quite a number.

I have been in four or five gambling raids, possibly six, maybe eight.

Gambling houses and houses of prostitution are not running open here—not to my knowledge. We do suppress them. We arrest them all the time. I don't know that there are five hundred or a thousand prostitutes in the Postoffice Street District. No, sir, I don't know that. I don't know that anybody who wants to buy whisky here can buy it. Some few buy it, but we arrest them, working together with the Government, and we arrest them. I don't know how many—I am not in direct touch with them.

We have had the same amount of men on the police force since this strike began that we have always had. There have been no extra men added that I know of. The force was sufficient up to the time of the riot. I don't know whether it has been suffi-

cient to handle the strike—that is a pretty hard question you are asking me. We didn't know that there would be any trouble down there when we were called out. I think we had enough men to take care of the situation as it was before the soldiers came. I think we did take care of it, as far as I know. There have been some assaults, I know, but they didn't get to the office. Complaining witnesses never came there.

I am telling you the truth, Major. We were under the orders of the chief. Our orders were to arrest anybody on the streets making any disturbance at all. We were supposed to arrest them, and we were told to arrest them. I didn't arrest any one because I haven't seen any myself—any fights—if I had I would have stopped them. I am on duty on Market Street. We go east and west. And we get calls you know. The patrolmen have the beats. We mostly have the calls—stealing, petty thieving, etc.

Major, I never heard the soldiers called anything but soldiers. I never heard anybody call them Hobby's pets or any other names. I haven't been talking to anybody since I talked to you this morning—only talking to Mr. Henry; told him I was called up here. He didn't tell me what to say. I am not keeping anything from you. I want to see these people prosecuted. I would be perfectly willing to swear to the party if I knew who did it. I am fair, I live here; this is my home.

I haven't heard anything about two Alabama boys that were beat up by the strikers while looking at the ships. That Mexican—I did see him in the hospital while I was there with my wound. I didn't hear about the niggers stopping people from going to the docks and wharves. I didn't hear about Mr. Bradford being stopped on his way to the Comal. I didn't know anything about that, and I didn't know that there were two policemen standing near who wouldn't help him.

We don't know everything that goes on in the department. There are six white men and two plain clothes men, and we are in and out. I try to keep up with everything and to be a law-abiding citizen myself. I think I keep up with things as near as I possibly could. I haven't been down to the wharf; they have officers on the beat they send there every day, sir.

I think that mob done wrong, and I think they ought to be prosecuted for it. We did get them as soon as we

could. I didn't get them, but Mr. Wisrodt and Mr. Meyer did. They didn't get the five hundred, but the ones in that shooting. That was near Fifty-first Street. Never had any chance to arrest the mob around the car because we had these men in charge then, putting them on that car. We were guarding the men in the car, guarding them to protect them. We went across to Virginia Point and couldn't arrest the mob, and we didn't get back here until half past nine or ten o'clock—when I got through at the hospital. I was on the car all of the time until I was shot. I don't know whether any of the other officers attempted to disperse the mob—I went right to the hospital.

You see, we were in the car ever since we left from down there. There was nobody there when we got in. I dare say when we went in from this end we never saw but half a dozen men—honestly.

I guess there were twenty-five or thirty shots fired into the car that night from the outside.

With reference to the violations of the liquor laws down on the docks—I haven't been down there myself, but they have squads they send there.

I haven't been trying to be deaf and blind to the strike disturbances and outrages. I am a good citizen here. I know Mr. Fowler and Mr. Kempner and all of them around here. I don't know Mr. Culter, I don't believe I do. I think I know Mr. Newding. I know Mr. Jack Pierce. I don't think I know Mr. Bradford.

The five I was speaking of just now are the only arrests in connection with the strike that I have come in contact with. I am on the side of the law and order, sir, and I will do anything in line to keep peace here in Galveston regardless of who it might be. I have did that all along. I have a partner that goes with me and we take care of our end of it. Whenever we have an arrest or any duty to perform we do it. We have cooperation I think—they all work together, but we don't all get right together in any kind of excitement that comes up unless you are right there and the whistle blows and calls you.

My chief never gave me any advice before I came up here today. You will find him a gentlemanly man, Major. He hasn't had anything to say to me. I said I had to go to the Grand Jury and then come up here, and I didn't know what time I would get

back. And he said, all right. And that is all he said.

I didn't hear about the lady having the glass shot out of her car that night. It was an excitable time—I will admit that. At that time I dare say we didn't have adequate police forces to do anything with that mob. It was a big crowd of people. I think it has been sufficient since that time, Major, we have been doing all right. Really, I haven't seen any assaults and fights myself. If I seen them I would arrest them. We heard about disturbances after they happened on the street, such and such a thing happened, but it never gets to the office in the nature of a complaint, except, as I said, that Mexican they beat up.

I didn't hear about the boy they nearly whipped to death.

I guess there are about 20,000 people in Galveston now. There are thirty-four patrolmen in the city—I don't know how many on the wharves—day shift on the wharf and night shift on the wharf—thirty-four patrolmen in the city I think and two sergeants and three clerks, day clerk, night clerk, corporation clerk, and the chief and chief detective.

I don't know of any other incidents that have happened. I think I have told all I know of. The arrests that are made and brought to the city hall, they make bond and that is why they aren't locked up. Anybody brought to the city hall, there must be a charge made against them by the complaining witnesses or the officer making the arrest—if he brings him to the station he has got to make a charge and they wouldn't release him then unless he gave bond. They have never brought them there and then not make the charge—that has never been done. I have never seen that happen.

GEO. C. HARRISON.

Sworn to and subscribed before me this 17th day of June, 1920.

CHESTER H. MACHEN,  
Major of Cavalry N. G. T.,  
Ass't Judge Advocate.

Ex Parte Deposition of A. B. Kelley,  
Taken Before Chester H. Machen,  
Major Cavalry N. G. T. Assistant  
Judge Advocate, Galveston, Texas,  
June 24, 1920.

My name is A. B. Kelley and I am employed as draftsman in the Engin-

eer Department of the Santa Fe. I have been in this employ since July 5, 1919.

I remember an occasion which occurred about three weeks ago as I was on my way to the hotel at about 9:30 or 10 p. m. There was quite a bit of excitement and two autos loaded to full capacity—I judge about six in each one of them—stoned and chased by a crowd of mostly negroes while entering the Mallory Steamship Docks. There was about 200 or more negroes in this crowd and I heard them say, "There they go—catch them!" and things of that kind. They waited at the end of the street and after thirty or forty minutes time rushed out and ran after the automobile, still keeping up a considerable noise. I could hear the rocks and bricks being thrown but it was dark and I could not see. I did not see any police officer there and if any arrests were made, I do not know. The last I saw of them they were driving full speed up toward 25th and Market.

On the following Saturday after this occurrence, as I was coming from the office, I noticed a truck of seven or eight men standing on the side of the Panama Hotel on Strand surrounded by some eight or ten colored men, advising them "that they could not work here and had better go back where they came from." I went on my way and did not know what had become of the truck or the crowd.

Up to about three weeks ago, it was a common thing to hear of assaults, intimidations and abuses being perpetrated on those who were trying to work at the Mallory Docks

A. B. KELLEY.

Sworn to and subscribed before me this 24th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of H. J. Lehman,  
Taken Before Chester H. Machen,  
Major Cavalry N. G. T. Assistant  
Judge Advocate, Galveston, Texas,  
June 24, 1920.**

My name is H. J. Lehman. I am employed as baggage master by the Galveston Union Depot since November, 1912.

I remember an incident which happened about a month ago. I saw two white boys "which I understood had gotten off of the Southern Pacific train" start towards the Mallory wharf. One of these boys were in soldier's uniform. As they entered the alley on the north side of the depot they were met by a bunch of negroes and these negroes jumped on them and beat them up. I saw them after the attack and the young man in soldier's uniform appeared to be suffering considerable pains. As they were out in front of the depot, J. C. Bolton with the Bolton Transfer Company got Officer Perrett, who carried the young man into the depot and told the negroes "that they must leave—they could not be fighting around the depot." No arrests were made of these negroes.

Since the strike had been on in Galveston up until a few days ago, it was a common thing to hear of intimidations, abuses and assaults committed by strikers against those who were attempting to work at the Mallory Docks.

H. J. LEHMAN.

Sworn to and subscribed before me this 24th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of Geo. W. Barrow, Taken Before Chester H. Machen, Major Cavalry N. G. T., Assistant Judge Advocate, Galveston, Texas, June 24, 1920.**

My name is Geo. W. Barrow. I live in Houston, Texas, and I am a salesman for the W. H. Norris Lumber Company of Houston, Texas.

On the 17th day of June, Mr. E. A. Henning of El Paso and myself came to Galveston on business. About seven o'clock in the evening after our business was transacted, we went to a restaurant on the beach down below Fort Crockett for the purpose of getting a fish dinner. While we were there, Mr. Henning left me and went over to Fort Crockett to see a friend. I waited for him a considerable length of time and decided that he was not coming back for me. About fifteen minutes to ten o'clock, I asked the man who was running the restaurant to get a service car for

me so that I might be able to catch the interurban back to Houston, leaving Galveston at ten o'clock. He did secure a service car for me and I asked the driver to take me to the interurban. There were two men in this car, both occupying the front seat.

We left this restaurant and had gone about one-fourth of a mile, when one of the men, apparently a Greek (any way a foreigner) turned in the seat of the car and said, "You are from Houston, aren't you—?" and I replied "Yes." He then said, we have one God dam son of a bitch from Houston here now trying to run our town. I guess you are one of his God dam stool pigeons. I resented this remark and with that, I was attacked, kicked and dragged from the car outside of the road, where these two men took about \$95.00 in money from my pocket, my watch and a stick pin from my tie. While the men were robbing me, I asked them "not to take my watch" as I had had the watch several years and did not want to lose that. When I made this request, they again struck me over the head and kicked me, rendering me temporarily unconscious and left me. After I had regained consciousness but was still unable to walk, an automobile passed me coming from town and stopped. One of the men in the car said, "There is that son of a bitch" and got out and kicked me in the side two or three times, got back into the car and went on. Later I managed to crawl up to a house and asked the occupants of this house to 'phone the police station for me, which they did. The officers came out in an automobile and carried me to the City Hall and rendered me some assistance and later taking me to the Tremont Hotel, where I spent the night and went home the next morning.

From this attack, I was forced to remain in bed for four days and am still suffering from the bruises sustained that night and am still under the treatment of a physician. I do not know whether I will be able to identify the men who attacked me or not, as there was nothing out of the ordinary to cause me to pay any particular attention to them until they had assaulted me and it was very dark.

This restaurant where I got the service car was one on the left hand

side of the road on 61st Street, facing the gulf.

GEO. W. BARROW.

Sworn to and subscribed before me this 24th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of Geo. F. Reid,  
Taken Before Chester H. Machen,  
Major Cavalry, N. G. T., Assistant  
Judge Advocate, Galveston, Texas,  
June 23, 1920.**

My name is Geo. F. Reid. I have been in Galveston about 35 years, engaged as Freight Inspector for the railroads.

On or about the first of May, 1920, while coming from the Mallory Docks on my way to lunch, about 11:30 a. m., I saw two strikers, negroes, from a picket line, run toward 25th street, and looking in that direction, I saw two white men, one in civilian clothes carrying a suit case, and one young lad in soldier's uniform. The negroes stopped them and in the meantime others gathered, and after talking for a minute or so, the two white men turned and started back toward town. After they had turned their backs, one of the negroes struck the man in back of the head with his fist and another negro, with a piece of brass tubing or pipe, began beating the small boy in soldier's uniform, also in back of the head. Officer Herrle was present at the time of this beating, sitting on Ullman, Stern & Krausse's platform and did not make any attempt for some time to go to their assistance. He followed the crowd behind the building out of my sight. No arrests were made.

I stayed there until the crowd dispersed and walked slowly up 25th, meeting Officer Herrle and a darkey coming out of the alley back of the oil company. The darkey still had a brass rod in his hand, and I asked the policeman if the darkey was not guilty of this beating, and he replied, "No, that man had gone up the other way." In my opinion that was the identical man. No arrests were made.

GEO. F. REID.

Sworn to and subscribed before me this 23rd day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of W. M. Smith,  
Taken Before Chester H. Machen,  
Major Cavalry N. G. T. Assistant  
Judge Advocate, Galveston, Texas,  
June 23, 1920.**

My name is W. M. Smith. I am employed by the Galveston Wharf Company in the capacity of assistant to the Superintendent Dock Labor, Mr. J. E. Pearce. I have been with the Galveston Wharf Company for about twenty-five years.

On or about the first of May, 1920, while coming from the Mallory Docks on my way to lunch about 11:30 a. m., I saw two strikers, negroes, from a picket line, run toward 26th street and looking in that direction, I saw two white men, one in civilian clothes carrying a suit case and one young lad in soldier's uniform. The negroes stopped them and in the meantime others gathered and after talking for a minute or so, the two white men turned and started back toward town. After they had turned their backs, one of the negroes struck the man in the back of the head with his fist and another negro with a piece of brass tubing or pipe began beating the small boy in soldier's uniform, also in back of the head. Officer Herrle was present at the time of this beating, sitting on Ullman, Stern & Krausse's platform, and did not make any attempt for some time to go to their assistance. He followed the crowd behind the building out of my sight. No arrests were made.

The two men then attempted to get away from the crowd and ran toward the Union Station and got out of my sight. I went into the Union Station and saw the two men sitting on a bench where they had been rescued from the crowd by Officer Perrett. I spoke to Officer Perrett and told him that the young lad, I thought, needed attention, as he had been severely beaten. Officer Perrett took the boy to the dressing room and I left for my lunch.

W. M. SMITH.

Sworn to and subscribed before me this 23rd day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of Gilbert C. Martinez, Taken Before Chester H. Machen, Major of Cavalry National Guard Texas, Assistant Judge Advocate at Galveston, Texas, June 18, 1920.**

My name is Gilbert C. Martinez. I am working as foreman for the Mallory Docks, having been in this employ for about two weeks. I was born and raised in Texas and am a Mexican by nationality. I am a non-union dock worker.

About Monday, June 14, as I was coming from my home on 36th and Broadway, waiting for a street car, a policeman wearing badge number 103 came up to me and asked if I was working there and upon approaching us said, "we would die like a dog." He also said that he would rather get a scab than a thief and after the soldiers leave Galveston, "you will be attended to." At the time he said this to me, I did not make any reply.

I have never been arrested and have never been in any trouble and don't want to. I am afraid after this the police officers will arrest me for most anything.

My home is at 715 36th Street.

GILBERT C. MARTINEZ.

Sworn to and subscribed before me this 18th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.  
Assistant Judge Advocate.

**Ex Parte Deposition of Adolfo Flores, Taken Before Chester H. Machen, Major Cavalry N. G. T. Assistant Judge Advocate at Galveston, Texas, June 18, 1920.**

My name is Adolfo Flores. I live at 715 36th St. I was born and raised in Texas and am a Mexican by nationality. I am at work for the Mallory Line docks and have been working for them about two weeks.

Last Monday morning, June 14th, myself and Gilbert Martinez, started to work and were waiting for a street car on 36th and Broadway. While we were standing there a policeman came up to us who was also waiting for a car and said to us "the thieves will have more of a chance than scabs" and "we would rather get a scab than a thief." I am a non-union worker.

ADOLFO FLORES.

Sworn to and subscribed before me this 18th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.  
Assistant Judge Advocate.

**Ex Parte Deposition of J. W. Rose,  
Taken Before Chester H. Machen,  
Major of Cavalry, N. G. T. As-  
sistant Judge Advocate, Galveston,  
Texas, June 24, 1920.**

My name is J. W. Rose, city salesman for Ullman, Stern & Krausse and I have lived in Galveston since September 20, 1919.

On numerous occasions, since the strike has been on in Galveston, I have seen "pickets" as they call them gathering around the south side of the railroad tracks near the Mallory docks preventing any stranger or laborer from crossing over to the docks.

On one occasion, about two weeks before the troops came to Galveston, two white men came across as if going to the Southern Pacific docks. Five negroes ran up to them and stopped them. I do not know what was said—the next thing that I knew, the white men were running and the negroes were beating them up with every step. There was a police officer where I was standing and he said "the strikers should not gang up on the men that way—that if they wanted to beat them up they ought to get them around the corner where the officers could not see them." This officer did not make any arrest or attempt to make one.

The day before this incident, there was a Mexican standing at the entrance of the Mallory docks and these strikers enticed him out from there down to the tracks and as they were standing talking, some white men knocked him cold right there and ran him up 25th Street, about 25 or 30 strikers following. A policeman stopped them on the corner and what was said or done I do not know. No arrests were made and the strikers all came back down toward the Mallory docks.

J. W. ROSE.

Sworn to and subscribed before me this 24th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of Gus Bierhalter, Taken Before Chester H. Machen, Major Cavalry, N. G. T., Assistant Judge Advocate, Galveston, Texas, June 24th, 1920.**

My name is Gus Bierhalter. I am foreman for the Mexican Petroleum Corporation, located at 4th and Avenue A, where we are constructing oil tanks. I have lived in Galveston all of my life.

Mr. Jacobson, contractor on this job, had a strike on. During this strike the job was picketed by strikers, and all workmen going and coming from the job were threatened, because they were accused of handling material belonging to the union. These threats drove the men off, claiming they could get no protection and never did see the officer interfere with the strikers who were threatening the men. This condition lasted until Mr. Jacobson brought in men who had enough nerve to stand for their own rights.

Since the arrival of the troops, we have not had any further trouble. There will be an awful time here when the soldiers leave.

GUS BIERHALTER.

Sworn to and subscribed before me this 24th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of H. E. Culter, Taken Before Chester H. Machen, Major of Cavalry, N. G. T., Assistant Judge Advocate, at Galveston, Texas, June 18, 1920.**

My name is H. E. Culter; I am Station Master for the Union Depot Company, Galveston, and I have held this position seven years.

The strike was called in Galveston in March some time. On or about the 16th of May, or rather the second Sunday of the excursion into Galveston, there was quite a lot of men picketing around the station. There were two young white men, I should judge from the ages of 18 to 20, nicely dressed, apparently came to Galveston sight seeing and started down towards the Mallory docks. I happened to be out in front of the station on 25th Street, and saw these colored pickets follow these two young men and I walked on down behind them. I heard one of the col-

ored men say to them, "Where are you going?" and one of the boys replied, "I don't know that it is any of your business where I am going," and the pickets told them "If you go over to the Mallory docks, you will get your . . . ."

The boys seemed to be frightened from this. The pickets followed them pretty close and started to run over towards 28th Street dock—instead of going to 28th Street dock they turned back towards the passenger station on 27th Street. I saw these negroes grab their wheels and start around through the alley by the depot to overtake them and for fear that these negroes would injure these white boys, I ran into the station and got Officer Perrett to assist them. I am told that they were handled pretty roughly by these negroes before the police officer arrived and I also understand these boys were in Galveston sight seeing and strangers in the State of Texas from Alabama, but do not remember what point. The boys appeared to have been assaulted, their clothes were dirty and I could further state that I understood from the officers that they knocked them down.

On the next Sunday following this incident, about six o'clock in the evening, four or five cars drove into the Mallory docks, one after the other, and unloaded some men and on coming out of the docks, I noticed as they were crossing the track, some eight or ten negroes ran up to this car, some in front of it. One of them I know had a brick in his hand and hollered at the boys to stop, and used very disgraceful and abusive language, and as I saw these boys were going to be handled very roughly, I instantly went back to the station and got an officer who made them get off of their car and told them that they could not strike or abuse anybody as long as he was a police officer in the city of Galveston; if they wanted any recourse they would have to take the number of their car and their names which he did not think was a violation of the law, but in detaining their car they were violating the law.

On Monday, following this same Sunday, between the hours of twelve and one o'clock, a Mexican boy probably 18 or 20 years old, was coming up towards the direction of the Mallory wharf. Some white men and negroes ran up to this Mexican. I

did not hear the conversation had between the men and the Mexican but I saw a white man hit the Mexican, knock him down, and as he went to get up, a negro kicked him and the Mexican started on a kind of a walk and run until he got to the south end of Ullman, Stern & Krausse's place on 25th Street and crossed toward the Union Depot. Just a few minutes before this Mexican was hit, I saw two officers standing at the north end of the Pierce Fordyce Oil Office, but when this Mexican was hit, I did not see them. These men I now refer to were police officers. There were probably 700 people working at the Santa Fe and this was at their dinner hour, and happened at the time they were all coming back, boys and girls, men and women, and the majority of them saw this boy with his teeth knocked down his throat and bleeding all over.

Mr. Perrett, officer at the station, got off of the car from his dinner also and came running and asked what the trouble was. There was a crowd around this Mexican and he said he wanted to go to town. Mr. Perrett told him that he would take him to town or any place that he wanted to stop, that no one would touch him. About this time, two officers, who had been on this beat, came up to where the crowd was and Mr. Perrett asked one of them to take him to town or wherever he wanted to go. This was in the beat of the other officers referred to.

No arrests were made at this time because the crowd scattered in all directions and it would be impossible to state as to who perpetrated this deed. I am perfectly neutral in all of my statement and not taking sides with any faction.

H. E. CULTER.

Sworn to and subscribed before me this 18th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of George Marshall, Taken Before Chester H. Machen, Major Cavalry, N. G. T., Assistant Judge Advocate, Galveston, Texas, June 23, 1920.**

My name is George Marshall and I am engaged in the automobile and garage business—Galveston Motor Car Company.



I remember an incident which occurred in Galveston on or about May 11, 1920; that is, on the same day that the riot or mob attacked an interurban car leaving the city with laborers.

My wife and I drove to the Union Station and spent about forty-five minutes watching a crowd of negroes and white men "to the extent of about fifty" line up on the south side of the Wharf Company tracks at the intersection of 25th and A. The majority of those men had clubs, pieces of iron and other objects in their hands and seemed to be waiting for the workmen from the Mallory Line to leave work. During the time that we stayed there, there was only one policeman in sight and he was laughing and joking with this crowd of negroes and white men, making no effort to disperse them or relieve them of the instruments they had in their hands.

I left there about a quarter to eight before the workmen started to leave the pier, going home and returning immediately to the Masonic Temple on 21st and Postoffice, which is directly across the street from the Interurban Station. Just as I reached the top of the stairs in the Temple Building, I saw an Interurban car back into the station with all of the curtains drawn, followed by a mob of 60 or 75 negroes and white men. There were about a half dozen policemen who came up behind the car and kept this crowd from entering the Interurban Station after the car. The car remained in the station about ten minutes and pulled out south—the mob following.

GEORGE MARSHALL.

Sworn to and subscribed before me this 23rd day of June, 1920.

CHESTER H. MACHEN,  
Major of Cavalry N. G. T.,  
Ass't. Judge Advocate.

**Ex Parte Deposition of A. G. Hubbard, Taken Before Chester H. Machen, Major Cavalry, N. G. T., Assistant Judge Advocate, Galveston, Texas, June 23, 1920.**

My name is A. G. Hubbard, a member of the firm of Heiskell's Wood Yard and I have lived in Galveston 23 years.

On the night of May 11th, as I was on my way to lodge, I noticed a large crowd of men, possibly about 200, on the corner of 21st and Mechanic Street surround an interurban car that had

all the blinds closed. I stayed there about two minutes, when two colored men rushed by me, saying "we will get the automobile and catch the interurban down on Broadway and we will shoot up the damn sons of bitches down there."

The larger portion of the men that I saw had bricks, rocks and clubs in their hands. I left then and started up to the Hall and asked one of the policemen what they were trying to pull off there and he said "We are running those God damn scabs out of town."

I saw no arrests made, nor any attempt to make arrests. There was a lot of loud talking and disturbance going on.

A. G. HUBBARD.

Sworn to and subscribed before me this 23rd day of June, 1920.

CHESTER H. MACHEN,  
Major of Cavalry N. G. T.,  
Ass't. Judge Advocate.

**Ex Parte Deposition of Chas. Newding, Taken Before Chester H. Machen, Major Cavalry, N. G. T., Assistant Judge Advocate, Galveston, Texas, June 23rd, 1920.**

My name is Chas. Newding, and I have been eighteen years in Galveston in the automobile business.

On or about May 9th, I went to the Santa Fe Station and noticed an ambulance going to the wharf. There were three box cars across the track, making it necessary for the ambulance to run around them, and when I went over there, a bunch of negroes and Austrians would not let me go by. I saw a policeman standing there and he paid no attention.

I went back to the Santa Fe Depot and found three negroes and white men holding up a man and overheard this conversation: "Where are you going?" and the man replied, "I am going home," and these men called him a scab and he answered them saying, "I am no more of a scab than you are—I have a union card the same as you, and belong to the union." They asked him, "Why don't you show your card?" He showed his card and told them that he would hereafter hang it on his back and after insulting him, he was allowed to go. This man was the First Officer of the Steamship Concho.

About a week later, my place of business being next to the Ila Hall, I saw a boy in a Ford drive up with

a crowd of 10 or 15 negroes following. They took the boy upstairs in the Hall and he was there at least thirty minutes and when he came down the negroes put him in the front seat and told him to drive on. About fifteen negroes piled on and I heard some one say, "We are going to burn the car up and throw it overboard, boy and all."

No one interfered and the car drove off. There were no policemen and no arrests were made. The boy was in captivity at least one hour and I don't know what became of him.

CHAS. NEWDING.

Sworn to and subscribed before me this 23rd day of June, 1920.

CHESTER H. MACHEN,  
Major of Cavalry N. G. T.,  
Ass't. Judge Advocate.

**Ex Parte Deposition of Ben Bonart, Taken Before Chester H. Machen, Major Cavalry, N. G. T., Assistant Judge Advocate, at Galveston, Texas, June 22, 1920.**

My name is Ben Bonart. I am engaged in the general merchandise business at 2518 Market Street and have been in this business for forty years.

I remember an incident which occurred about three weeks ago. I was sitting at my desk when I heard a lot of noise, running and uproar, and I went out to see what it was about and found a crowd in front of Joe Druss' place and saw a Mexican beat up and bleeding all over, and wiping himself with a handkerchief. There was about two or three hundred men participating in this riot, mostly negroes. During the fuss, the crowd broke the show case of Mr. Joe Druss.

There was no police officers present until after the Mexican was beat up and no arrests were made.

BEN BONART.

Sworn to and subscribed before me this 22nd day of June, 1920.

CHESTER H. MACHEN,  
Major of Cavalry N. G. T.,  
Ass't. Judge Advocate.

**Ex Parte Deposition of J. W. James, Taken Before Chester H. Machen, Major of Cavalry N. G. T., Assistant Judge Advocate at Galveston, Texas, June 21, 1920.**

My name is J. W. James and am employed by Captain John Jacobson on

the terminals in the east end of Galveston Island.

On May 26th, while returning from work in company with my son, Guy James, while passing the Sealy Hospital I was stopped by four men, who told us that the work was tied up on account of a strike and for us not to go back there any more as that was their job. I told them that I considered it open shop job and proposed to keep on working.

On May 27th while walking up from 10th and Wharf they met us again and renewed the argument of the previous day and I told them that I needed the money and proposed to keep on working. One of them spoke up then and stated that if I did keep on working I would get my God damned head busted. Several other words were passed, and not wishing to start any trouble, I kept on walking towards my home on 9th Street. The following morning they were on the corner from my house watching for us to come out. I saw that there were five of them, and did not come out. They were there for several mornings thereafter, and not wishing to get in any trouble, I stayed at home.

J. W. JAMES.

Sworn to and subscribed before me this 21st day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of H. W. Hawkins, Taken Before Chester H. Machen, Major of Cavalry N. G. T., Assistant Judge Advocate at Galveston, Texas, June 22, 1920.**

My name is H. W. Hawkins. I am employed by Ullman, Stern & Krausse "wholesale grocery business" as shipping clerk, having been with them since April 1st, 1920. I have lived in Galveston practically all of my life.

Since my employment with Ullman, Stern & Krausse, on several occasions, I have heard loud noises and have seen crowds of men gather and stop people who were going over toward the Mallory docks—Ullman, Stern & Krausse's place of business being near this place. This could be seen from where I worked. These men would be both negroes and white men and kept up a considerable noise.

I have seen police officers around

when these gatherings would take place, but have never seen any one arrested, except one man whom I learned was a German spy and had been working with the Mallory Line.  
H. W. HAWKINS.

Sworn to and subscribed before me this 22nd day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of E. M. Leary,  
Taken Before Chester H. Machen,  
Major of Cavalry, N. G. T., Assistant  
Judge Advocate at Galveston,  
Texas, June 22, 1920.**

My name is E. M. Leary. I am in the mercantile business at 2501 Avenue D. I have lived in Galveston five years.

About two or three weeks before the martial law was declared, I noticed a disturbance on 25th and Market Streets. A man had attacked a Mexican boy. I saw a man slap the boy. There was a crowd gathered around and I went over to where this disturbance was. After it had happened, a policeman came up from the northeast corner of 25th and took the Mexican boy away. Later a negro policeman came up, and I remarked to him that "it was strange that the officer did not arrest the party committing the offense," and he answered, "that if he had been there, he would have arrested him." I told him there was another officer there by himself and a large crowd had gathered and possibly the officer did not think it policy to go single-handed and make the arrest, as the negroes commonly oppose officers in making arrests.

I have heard of four disturbances that have taken place since the strike, but do not know what they were due to, as I was not present.

E. M. LEARY.

Sworn to and subscribed before me this 22nd day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of Geo. A. McArthur, Taken Before Chester H.**

**Machen, Major of Cavalry, N. G. T., Assistant Judge Advocate at Galveston, Texas, June 21, 1920.**

My name is Geo. A. McArthur, and am employed by Captain John Jacobson at Galveston, Texas, on the job of the Mexican Petroleum Company.

About June 2nd, 1920, while going down 22nd street to take the boat to the job I was stopped by a former employee of Capt. Jacobson and two dock workers who said, "Are you working for Jacobson?" and I replied "Yes." Then they said, "if I kept working out there they would get me and fix me so that I would not be able to work anywhere else." I told them that I was going to work and for them to stop me if they could and kept on my way.

The second morning after this, while going down 22nd street, I was followed from Market street to the water front by a party named Smith and two others. They made the remark of "there he goes," "we will get him, etc." The following morning I met Smith on 22nd and Market, and he called me a "God damned scab." I started after him and he ran out in the street calling me a "God damned son of a bitch, bastard, and all I was a scabbing son of a bitch." He kept on following me to the corner of 22nd and Avenue A, when he threw some rotten eggs at me. He broke and ran when I started after him. After I started after him Sergt. Spencer of the police force joined the chase, but did not overtake him.

He was arrested the following day and eight days later was fined \$5.00 and costs in city court.

On numerous occasions I have been warned to stay away from the works, as sooner or later they would get me.

GEO. A. MCARTHUR.

Sworn to and subscribed before me the 21st day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry, N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of M. M. Fenner,  
Taken Before Chester H. Machen,  
Major of Cavalry, N. G. T., Assist-**

**ant Judge Advocate at Galveston, Texas, June 21, 1920.**

My name is M. M. Fenner, and I am employed by Captain John Jacobson as carpenter, working on Pier 5 of the Gulf Refining Company in the east end of Galveston Island.

About June 2nd, 1920, it was the custom of Captain Jacobson to bring the employees that were working on Pier 5 to town in a launch, and land them at pier 22, and from there we walked to our homes. On this day I noticed several men followed us up 22nd street, and two of them watched me all the way home. I went in and had my supper and after supper I noticed two men across the street who had been pointed out to me as former union employees of Capt. Jacobson. I suspected that they were waiting for me so called to my room-mate, S. A. Crane, to let's go out and see what they wanted. We walked as far as the Ball High School grounds with the two men following and not wishing to get too far away from home, turned and started back and noticed that a third party had joined them. When I got abreast of them they stopped me and asked if I were not employed by Capt. Jacobson, and I answered, "Yes." They asked me if I did not think I had better join the union and I stated that I had not thought of it, that the union men were not working, and I did not see where I would better myself by joining their union. One of them whom I learned afterwards was named T. R. Pait, spoke up and said it was a good thing the court had him under a \$500.00 bond or he would see that I joined the union right now. I told him if he desired to make it a personal affair not to let the bond stop him, but get busy. Nothing further was said by them and not wishing to stir up any trouble, I left and went home.

On several other occasions I have been stopped by union men and told that I had better join the union as after the soldiers left Galveston a non-union man's life in Galveston would be made miserable.

**M. M. FENNER.**

Sworn to and subscribed before me this 21st day of June, 1920.

**CHESTER H. MACHEN,**

**Major Cavalry, N. G. T.  
Asst. Judge Advocate.**

**Ex Parte Deposition of Jos. D. Foley, Taken Before Chester H. Machen, Major Cavalry N. G. T., Assistant Judge Advocate at Galveston, Texas, June 18, 1920.**

My name is Jos. D. Foley. I live at 2427 Avenue F. I have lived in Galveston for 46 years and am engaged in the hotel business.

I remember an incident that occurred in Galveston after the strike was called and to the best of my recollection, was some time in April. The first instance was a gathering of a lot of negroes and some white men on the corner of the Model Laundry on 25th and Postoffice Street. They circled around a white man and began speaking to him about leaving the docks and he told them that he had a wife and children to support and had to work and that he was going to work. They did not strike him but used very disgraceful and abusive language. There were no arrests made and a negro police officer in plain clothes was present.

The second instance occurred some time in May. Three white men surrounded by between 20 to 25 white men and negroes on the corner of 25th and Church Street were told in very abusive language that they would have to leave the city. One of them replied, "how can we get out of here—?" and some one of the gang told them to keep on straight down the street. They continued down 25th street, the crowd following until they reached 25th and Broadway. All stopped there until the Interurban going to Houston passed that point and the white men got aboard and left the city. I followed them up to 25th and Broadway and stayed there until the car came along, which was about thirty minutes, and at no time did I see any officers nor were there any arrests made.

The other instance occurred about eleven o'clock at night, some time in May, and my attention was brought to the pleadings of a negro who was lying on the ground of the United States Postoffice sidewalk, being stamped on and kicked by about six or seven negroes. Two other white men and myself hearing his pleadings "not to be killed" ran across the street and told the negroes that they would have to stop this or we would have to send for the police. They stopped and we raised the negro up

and found that his shirt was completely torn from his body. He was bleeding and there were several wounds on his body. We told him to go to his home. As he was leaving, some of the negroes used some very disgraceful and abusive language to and about the wounded negro about working on the Mallory Line docks. There were no officers present, either before or after that time. In all of the instances I have related, I did not know the names of any of the aggressors. I am satisfied that I would know the negro police officer in the first instance, but I do not know his name.

It was a common occurrence for me to hear of daily disturbances in the city from the time the strike was on up until the time that the Mallory Line moved their ships to Port Arthur.

JOSEPH D. FOLEY.

Sworn to and subscribed before me this 18th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of S. A. Crane, Taken Before Chester H. Machen, Major Cavalry, N. G. T., Assistant Judge Advocate at Galveston, Texas, June 21, 1920.**

My name is S. A. Crane and I am employed by Capt. John Jacobson as general foreman on the jobs of the Gulf Refining Company, U. S. Quarantine Station and Mexican Petroleum Company at Galveston.

It is my duty to instruct the men under me where to report each morning, what job to work on, etc. On numerous occasions at pier 22 I have seen union men formerly employed by Capt. Jacobson standing around at the landing and heard them call my men scabs and other vile names. I have also seen policemen of the city police force present and no attempt made by them to make them stop their disorderly conduct. I have been followed home on several occasions by union pickets.

On May 31, 1920, I was present when a man by the name of Smith stopped Geo. McArthur, one of my men, and threatened to get him if he did not stop work.

At the boarding house where I board I heard a union man make the remark that after the soldiers left

Galveston the non-union men would have to leave also, as it would be unhealthy for them to remain. I did not learn his name as I thought no more of the remark.

S. A. CRANE.

Sworn to and subscribed before me this 21st day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of Herbert E. Matthews, Taken Before Chester H. Machen, Major of Cavalry N. G. T., Assistant Judge Advocate at Galveston, Texas, June 19, 1920.**

My name is Herbert E. Matthews and I live at 807 8th Street. I am employed as time-keeper and boatman for Capt. Jacobson, contractor, and have been in his employ since February 4, 1919.

On the 26th day of May, 1920, Mr. Sweeney, bookkeeper for Captain Jacobson, sent me to pier 5 in a boat. I landed and tied up my boat on 22nd Street; while I was there, five men came down to where I was and one man began cursing and abusing me. My father was with me. We saw that this man had something in his pocket and my father went in search of an officer to give us protection. While I was waiting, this man stepped upon the boat, came up behind me while I was sitting down and struck me in the back of the head with a black-jack. This man was a striker and his name is T. P. Pait. After he had wounded me I was unable to work again until the 8th day of June. After this man had attacked me, my father and another man came up and by force held him until an officer was sent for and came. The man that wounded me belonged to the International Bridgemen's Union Local 135.

I do not belong to any labor organizations.

HERBERT E. MATTHEWS,

Sworn to and subscribed before me this 19th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of W. P. Sweeney, Taken Before Chester H. Machen, Major Cavalry N. G. T., Assistant Judge Advocate at Galveston, Texas, June 16, 1920.**

My name is W. P. Sweeney. I am

chief clerk and bookkeeper for Captain John Jacobson, who is in the contracting business.

On January 1, 1920, or about that date the men employed by Captain John Jacobson who belonged to the union known as the International Association of Bridge, Structural and Ornamental Iron Workers and Pile Drivers Local Union No. 135, after being out on strike agreed to go back to work and would finish all jobs already contracted for at the then old scale of seventy-five cents per hour and any new jobs they were to get the new scale of 87 1/2 cents per hour. About the 17th day of May, 1920, the men did not return to work, claiming that they had held a meeting and voted that unless Capt. Jacobson paid the new scale on the old jobs as well as the new they would not return to work. The old job consisted of about three months more work at the U. S. Quarantine Station and about ten days more work on the terminals of the Gulf Refining Company at Galveston, Texas. The new job on which the new scale was being paid was the oil terminals of the Mexican Petroleum Corporation at Galveston, Texas.

Captain Jacobson gave the union men about one week to keep their word to finish the old jobs at the old scale and when they did not return to work, he declared open shop and made arrangements to employ any one that applied for employment and was capable, under the open shop principles.

About May 27, 1920, Herbert Matthews, who is employed by Captain Jacobson as time-keeper and launchman, was set upon and beaten with a black-jack by a former employe named T. R. Pait. This man Matthews was struck over the head several times and as he fell into the cabin of the launch he was on, Pait kicked him in the side. It was necessary for Dr. H. R. Robinson to treat Matthews for a long period after assault. Pait was arrested by officer of the city police force Collerain and bound over to the Grand Jury. Witnesses to this were August Osterholm and E. B. Matthews.

Several days later about June 3, 1920, while going to pier 22 to take the boat which took him to work, Geo. McArthur, another employe of Captain Jacobson, was rotten egged by—?—Smith. McArthur gave chase to this man but was unable to over-

take him but furnished his name to Sergt. Spencer of the city police, who later on arrested him, and was fined \$5.00 in the city court.

Several of the non union men employed by Capt. Jacobson have been followed home by union pickets. The following three still in the employ of Capt. Jacobson can testify as to what was said and done—S. A. Crane, M. M. Fenner and A. L. Jackson.

W. P. SWEENEY.

Sworn to and subscribed before me this the 16th day of June, 1920.

CHESTER H. MACHEN,

Major of Cavalry N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of R. M. Bain, Jr. Taken Before Chester H. Machen, Major of Cavalry N. G. T., Assistant Judge Advocate, Galveston, Texas, June 17, 1920.**

My name is R. M. Bain, Jr. Living in Galveston for the past several years (7 years) in charge of the Gulf Ports Stevedore Company, doing a general stevedoring business in Galveston and Texas City.

My business requires the employment of about one hundred to four hundred men, loading and unloading deep sea ships. My address is 1310 25th Street, Galveston, Texas.

During the unfortunate strike that is now being carried on by the workers of the Morgan and Mallory Lines, I have naturally been watching the trend of the laborers and listening to a great deal of comments that are being made on the water front.

On, or about May 1st, I left Pier 40 about 5:00 in the afternoon, and was driving to my office on 22nd and Strand. As I was coming along 25th and turned into Strand on the south-east corner, I noticed a congregation of laborers; I slowed up my car to see what was going on; to my surprise I saw a young white man being beaten up, knocked to the ground by two negroes, while fifteen or twenty negroes and white men were standing by and seeing it done. I made inquiry as to what was the cause of the trouble, and one of the men standing on the sidewalk said they were just beating up one of the scabs coming from the Mallory Line. No one seemed to care or to assist the poor unfortunate who was being beaten up.

Several days after this occurrence, I was coming from the dock at Pier 40, and on the corner of Postoffice and 25th

Sts. I noticed a gathering of whites and negroes, and I stopped to tell Willis Wood, who is the walking delegate for Local No. 851, the number of gangs that I would need for the next morning, and I incidentally asked him what that crowd was over on the corner, and he remarked that, "Oh, it was nothing but a bunch of Mallory boys beating up some of the scabs that wanted to work the Mallory boats." At neither one of these instances did I see any police anywhere or anyone showing the disposition to protect the unfortunate fellow that was getting the beating.

On May 11th, about 7:45 p. m. I drove to the corner of Mechanic and 21st Streets, in order to attend a meeting of the Master Stevedores Association. As I got out of my car, I noticed an Interurban car standing on 25th Street between the Cotton Exchange and the J. H. W. Steele Company's office. I saw quite a gathering of white men and negroes; I suppose there were from 150 to 250 men gathered on the street, and I asked a gentleman who was standing on the street what was the occasion of the crowd, and he remarked that "it was a bunch of strikers trying to get at a bunch of non-union men that they had just loaded on an Interurban car." These non-union men, as I understood it, had just come up from the Mallory Line dock.

I was only on the corner a minute or so, when all at once there seemed to be a concert of brick throwing by the mob that was on the street, smashing in the windows of the Interurban car, but I noticed that the window curtains were pulled down on the inside of the car, hence no damage was done except smashing the windows.

At the intersection of Mechanic and 25th, in the middle of the street, I noticed a policeman and I remarked to those standing by, "why did not the police stop the row?" and this hothead that I spoke to (I did not know his name) remarked: "Oh, he is one of our brothers, he is not going to molest us."

In a few moments the Interurban started out, going south on 25th Street, and three men passed me on the corner, one white man and two negroes, and as they passed, the remark was made to each other, "we can get the scabs out on Broadway." I did not attach any importance to the remark until the next morning when I saw in the newspaper that the car had been shot up on Broadway and naturally

coupled it with the remark I heard the night before.

I hear remarks up and down the docks every day that the only reason that the Mallory and Morgan Lines are able to do any work at all is because the soldiers are here.

On the morning of the 15th I happened to be at Pier 38, sitting in my car waiting for the time for the men to turn up, and I overheard remarks made by the dockworkers, that just as soon as these soldiers pulled out, they were going to show the strike breakers a thing or two. One of the men (I cannot recall his name) remarked that they would not have a chance to do justice to them, because as soon as the soldiers left, they were satisfied the scabs would beat it out of town and would not let them get a chance to give them what they deserved.

This is about all that has personally come under my actual notice, but I hear a great deal of comment as to what they would and would not do, and I feel satisfied that if the city is left unprotected, we will have a great deal of trouble along the water front.

R. M. BAIN, Jr.

Sworn to and subscribed before me this 17th day of June, 1920.

CHESTER H. MACHEN,

Major Cavalry N. G. T.,

Asst. Judge Advocate.

**Ex Parte Deposition of S. R. McCarthy, Taken Before Chester H. Machen, Major Cavalry, N. G. T., Assistant Judge Advocate, at Galveston, Texas, June 17th, 1920.**

My name is S. R. McCarthy. I have lived in Galveston practically all of my life. I am at present Bookkeeper for Clarke & Courts, having been in their employ for about eighteen months.

On or about May 7th as I drove to the Union Depot, I was met with a Mexican who was bleeding very profusely, and followed by a dozen men, white and black, from the Mallory docks going south on 25th and Mechanic streets, and I asked a man on the corner what the trouble was and he answered, "The son of a bitch was a strikebreaker." Later on in the day this same man told me that a police officer had gone in the hotel. The crowd of men followed the Mexican to 25th and Mechanic streets and I left at this point. I did not

know what had become of the crowd or the Mexican.

In all this time, I did not see a police officer or any other officer.

S. R. McCARTHY.

Sworn to and subscribed before me this 17th day of June, 1920.

CHESTER H. MACHEN.

Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of John Collerain Taken Before Chester H. Machen, Major of Cavalry, N. G. T., Assistant Judge Advocate, at Galveston, Texas, June 15th, 1920.**

My name is John Collerain. I live at 1528 Avenue D, Galveston. I am 18 years old. In February, 1918, I began work for the American Warehouse Company. Mr. Sam Fleming is the manager. I worked for this firm continually until about May 14, 1920. The strike was declared in 1920. Up to this time I never knew of any disturbances or abuses. After the strike was on, I did hear abuses and intimidations. About two days before I quit, I was driving a wagon loaded with cotton down 29th Street. Negroes were congregated on the streets all along the route I was to go. They would holler at me and call me a white scab "son of a bitch." There was no police officers there and the negroes were not disturbed. I decided I did not want any trouble and I quit. I did not like my wages and got disgusted at the warehouse.

JOHN J. COLLERAIN.

Sworn to and subscribed before me this 15th day of June, 1920.

CHESTER H. MACHEN.

Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of C. W. Farr, Taken Before Chester H. Machen, Major of Cavalry, N. G. T., Assistant Judge Advocate, at Galveston, Texas, June 18th, 1920.**

My name is C. W. Farr and I live at 1503 Postoffice Street. I am employed by the Galveston-Houston Interurban Company as conductor, having been in their employ about six months.

As we were going out on the front regular eight o'clock car carrying signals, "followed by a special," and had passed 40th and Broadway,

bricks were thrown into the car and one shot fired. The bullet entered the seat, coming pretty near to me and hitting my money pocket used for collecting fares.

I was never questioned by any officer or court with reference to this transaction. As far as I know, no arrests were ever made.

When we left the station, there was a considerable crowd gathered. The attack made on the car that I was running happened to be 8:10 p. m. after dark on the night of May 11, 1920. I did not know where the rocks and bullets came from but am rather of the opinion that it came from an automobile on the left hand side of my car going out. I do not belong to any labor union of any kind.

C. W. FARR.

Sworn to and subscribed before me this 18th day of June, 1920.

CHESTER H. MACHEN.

Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of A. J. Sims, Taken Before Chester H. Machen, Major of Cavalry, N. G. T., Assistant Judge Advocate, at Galveston, Texas, June 18th, 1920.**

My name is A. J. Sims. I am employed by the Galveston-Houston Interurban Company as a motorman.

Some time in May, I do not remember the date, some one ordered a special car to be carried down to 21st and Mechanic in the city to carry a load of strike breakers. There was a considerable crowd gathered around the car hollering and hurrahing the strike breakers. I do not know who they were. We left this point and went back to the station and the crowd followed us there. I was running as a conductor on this particular car. The crowd continued to holler and hurrah at the station. We then left there en route to Houston and the crowd continued to follow the car far away but we finally left them. When we got to about 43rd Street some one began to throw bricks and shoot into the car, and kept it up to about 52nd Street. The window lights were broken and several shots were fired. I do not know who did any of this. There were several police officers on the car. The car was not stopped and the officers did not get off until we reached Vir-



ginia Point. One of the police officers was shot and slightly wounded. All of the officers got off at Virginia Point and we carried the car on to Houston without further trouble.

I have never been questioned by any officer or court with reference to this incident.

A. J. SIMS.

Sworn to and subscribed before me this 18th day of June, 1920.

CHESTER H. MACHEN.

Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of F. T. Rennie  
Taken Before Chester H. Machen,  
Major of Cavalry, N. G. T., Assist-  
ant Judge Advocate, at Galveston,  
Texas, June 28, 1920.**

My name is F. T. Rennie. I am general agent of the Mallory Steamship Company, Galveston, Texas. Have resided in Galveston, Texas, since January, 1911, and have been employed in my present position since February, 1912. My office address is 2322 B, and home 1702 Ave. F, Galveston, Texas.

At noon on March 19th, 1920, the labor employed by the Mallory Steamship Company at Galveston, without making any demands or explanations, walked out and have not since returned to work. At the time our labor walked out, we had just finished discharging the steamer "Nueces." On March 20 the steamer "Alamo" arrived at Galveston loaded with a cargo of general merchandise largely for Texas destinations.

On or about April 16th the following notice appeared in the Galveston newspapers:

"When F. T. Rennie, general agent Mallory Steamship Company, was asked today if he had anything to say with reference to an Associated Press dispatch from New York, appearing in the Houston Post of this date, regarding the coastwise lines resuming operations, he stated: 'The Mallory labor at Galveston walked out March 19th, now going on the fifth week, account of orders they received from the New York labor leaders. Since that time the company has been waiting on them to return to work, but there seem to be no indications of their doing so.'

He also stated: 'The merchants are in distress for their goods, which consist largely of interstate shipments of food and clothing. This company's relations with its labor at Galveston has been good and we would like to have our regular labor return to work, but if they will not do so, we will be compelled to get other labor because we feel that consignees are entitled to their goods and it is up to the company to use its utmost endeavor to deliver the shipments, so, if the labor does not return to work within the next day or two, we will be compelled to work our ships with other labor.'

This company commenced advertising in the Houston and Galveston papers for labor about April 17th.

On Monday, April 19th, about ten men applied for employment at the docks and were put to work.

The following day, April 20th, fourteen men reported for work and on April 21st the number of applicants increased to twenty-two.

The work of unloading the steamer "Alamo" was commenced with a small force and worked each day from Wednesday morning, April 21st, to 5:00 o'clock, Sunday, April 25th, averaging from twenty-two to thirty-two men. From the time we started to work, we noticed each day many depletions and new faces. I made it a point to talk with some of the laborers each day and asked them if they were being molested either in coming to or going from the docks; nearly all of them complained to me that pickets had stopped them on their way to work, showed them their pistols and told them that they would be killed if they continued to work on Mallory docks. It has been reported to me that pickets were stationed on the water front all the way from 21st and 29th streets. I see each day pickets stationed at 23rd, 25th and 27th streets. The largest number of pickets that I saw were stationed at the foot of 25th street opposite Mallory docks and this number, I would estimate, averaged from ten to one hundred men. They gathered in this vicinity all day long and it was reported to me that they remained there until late in the night.

At 6:00 p. m., Sunday, April 25th, I was on the Mallory Line dock at the foot of 25th street, while men

were being paid off, and from where they were standing they could see large groups of pickets stationed between the railroad tracks and Santa Fe station. I told the men that the police officer on dock was going up town, and they could accompany him—this was Officer Moore. There were about twenty-five laborers who started up town with the police officer, and on 25th street, in the block just south of the railroad tracks in front of the Santa Fe passenger station, a large number of pickets from various angles on 25th street began to close in on our dock workers, and on the sidewalk in front of the Panama Hotel one of the strikers struck one of the men, who had been working for the Mallory Steamship Company that day on the dock. I understand, though I did not actually see it, that some blows were struck as the workmen proceeded up the street. My belief is that had it not been that Officer Moore was present and freely displayed his pistol, which had a good effect, serious trouble would have taken place. A report of this occurrence appeared in the Galveston News on Monday, April 26th.

Realizing that conditions were serious caused me, at 7:30 p. m. Sunday, 26th, to call on Mayor Sappington at his residence and explained matters fully to him. Mayor Sappington gave me to understand that he realized fully that it was a serious condition. I strongly urged him to request the Governor to send Rangers to Galveston, but he declined to do so. He referred me to the Chief of Police Sedgwick, and that same night I talked with Chief Sedgwick over the phone and he told me he would do what he could to help matters, and on Monday did put one or two policemen on 25th street between the Santa Fe station and Mallory docks.

On Monday, April 26th, only ten men reported at the docks for work and they were put to work discharging cargo. A little after 4:00 p. m. on that day it was reported to me at my office that one of the men who had been working on the dock had been caught by some men near the Black Hardware Company warehouse, which is located near the east end of our docks, and held by some of the pickets while others whipped him. I have not been able to verify

this report by anyone who actually saw it, but there was free talk about it having occurred. About 4:30 the same afternoon four Mallory Line dock clerks named H. M. Keating, C. M. Clark, G. E. Bader and T. C. Dozier called at my office and told me that five men had stopped them after they left the docks and threatened to kill them if they returned to work on Tuesday. I immediately called Police Sergeant Spencer on the telephone and he came to my office and later accompanied two of the clerks to the railroad tracks to try to locate the men who threatened them, but when the pickets saw Sergeant Spencer and the two clerks, they ran away. At my request Officer Spencer went down to the docks with me at 5 p. m. the same day. When we went to the docks I was under the impression that what few men we had at work would sleep there last night, but as Sergeant Spencer and I were leaving, two white men spoke up, saying that they would like to go home and be with their wives and children, so I arranged for Sergeant Spencer to escort them to town, another man joining them and going along. Three men remained at the dock, but later in the night decided to leave. I do not know what became of them, but was informed by one of our employees, Mr. R. C. Bartzen, cashier, Mallory Steamship Company, Galveston, that he saw one of the men in the vacant lot adjoining the Terminal Hotel at Mechanic and 25th street about 9 o'clock that night and he appeared to be just recovering from a condition of unconsciousness and had the appearance of having been assaulted.

On Tuesday, April 27th, we had only six men to report for work on the dock. About 5 o'clock that afternoon our dock superintendent telephoned me that the men were afraid to leave the docks on account of the large number of pickets stationed at 25th street. I called Sergeant Spencer over the telephone and asked him to come down, and after some hesitation, he said he would do so. He told me he would take these men up town and then he would have to turn them loose and the pickets would follow them and that he could not do otherwise than handle them in this manner. Capt.

Charles McIntosh, master, Mallory steamer "Nueces," was standing nearby and remarked to Sergeant Spencer, "You do not mean to say this city is not in position to give proper police protection?" Sergeant Spencer went to the docks and on his way down picked up a police officer to accompany him. Groups of pickets, I would say about fifty men in all, were on 25th street near the dock eagerly waiting for the men who had been at work. I left my office, accompanied by Capt. Chas. McIntosh, for the purpose of seeing how the police would handle these men. They took them from our dock at the 25th street entrance and walked up 25th street, and just in front of the Santa Fe passenger station, about the middle of the street, the pickets gathered around the two police officers and the few dock workers in army style. The pickets held them for about five minutes, and I saw them give the workmen handbills, and then the officers escorted the workmen to the police station with a large number of pickets following. I do not know what became of the workmen later, but was informed that they left Galveston that same night on the Interurban and Southern Pacific trains. A report of this matter appeared in the Galveston News of April 28th.

On Tuesday afternoon, April 27th, one of our check clerks, Mr. Fred T. Veers, informed me that on Monday afternoon, on his way home, he and another Mallory check clerk had a stone thrown at them at the elevator on 29th street, and some person or persons had telephoned his wife three times during Monday to keep him at home. Neither of these clerks reported for work afterwards.

On account of the system used by the pickets in intimidating and resorting to violence and the rushing of the men each night out of town caused us to temporarily suspend work Tuesday afternoon, April 27th.

On account of conditions that existed at Galveston this company could not get labor to work its docks without feeding them and sleeping them on the dock under strong armed guard, caused me to take steps to give them this protection. Guards were placed on the docks May 5th, and we arranged to bring labor from Houston.

On May 5th, we had four laborers,

May 6th, thirty-four, May 7th, thirty-two, May 8th, fourteen, May 9th, twenty-one, May 10th, nineteen, and May 11th, forty-four.

While we housed and fed our labor on the docks between May 5th and May 11th, on different occasions at nights, Mr. Beasley, chief guard on docks, would 'phone me that the docks were being stoned and these reports were verified by our night watchman, Samco Crane. I was also informed several pistol shots were heard at nights in the vicinity of the docks. We had considerable difficulty after bringing labor from Houston by the Interurban to get them from Interurban cars to docks. In fact, Gregory Transfer Company's automobile drivers, after a few trips to docks, said it was too dangerous and would not attempt to do so in the future. The labor was afterwards sent from Houston in automobiles and driven direct to our docks.

It was reported to me on May 10th three automobiles belonging to the U. S. Auto Livery, Houston, Texas, came from Houston, loaded with laborers, were stoned in the vicinity of the docks and the cars were considerably damaged by the pickets.

Am unable to state the exact date, but some time between May 5th and May 11th I called again on Mayor Sappington at his home and was accompanied by Mr. Chas. H. Munnis, ex-president Galveston Rotary Club, and Mr. W. R. Phipps, president Galveston Commercial Association. During this visit we endeavored to impress upon Mayor Sappington the urgent necessity of his requesting the Governor to send Rangers to Galveston.

Am attaching hereto copies of letters that I addressed to Mayor Sappington, Chief of Police W. J. Sedgwick, Mr. Henry Thomas, sheriff of Galveston County, and Mr. A. P. Morman, city commissioner. I did not receive replies to any of these letters, excepting the one attached, dated May 28th, from the sheriff's office which you will note is not signed.

We decided that as soon as we finished discharging the steamer "Alamo," on account of the conditions under which we were endeavoring to operate, the best thing to do was to cease operations in Galveston. Thinking it would be the best way to remove our dock labor from Gal-

veston would be by boat, caused me to quietly endeavor, on May 11th, to get Captain T. J. Anderson of the Seaboard Transportation Company to charter me the tug "Lorain," to take them to Houston, but was advised he did not care to do so. I then saw Captain Dalchite, owner of the passenger boat Galvez, also Captain Johnson, owner of the tug boat Panther; none of them would consider the proposition. I then had a talk with Mr. Norman and Mr. Sedgwick about 6 p. m. of the same date, and told them I had arranged with the interurban to furnish a special car at 21st and Strand at 7 p. m. to remove our labor to Houston. Chief Sedgwick requested, "Make it 8 p. m. so as to give more time to get necessary police." Messrs. Norman and Sedgwick told me they did not anticipate and trouble getting them out of town as they were leaving here.

You will please note attached a statement signed by several Mallory Line clerks showing pickets would not let them go down to Mallory Line docks, Galveston, at 5:30 a. m. May 10th, 1920.

The men that did the picketing were composed of whites and negroes. From observation I judged that a white man by the name of Pete Quinn who had been a walking delegate at Morgan Line docks was the ring-leader of the gang. I also took notice of two negroes, Ed. Henderson and Callahan, that were with the pickets on various occasions.

I will take this occasion to state that the relationship at Galveston between this company and its labor, just prior to March 19th, was extremely good. If the laborers that were employed on the docks had any complaints in regard to wages, hours and conditions, no mention of it was made to me. My understanding was that they walked out at noon Monday, March 19th, 1920, account of having been instructed to do so by the International Longshoremen's Association at New York in sympathy with the New York strike.

F. T. RENNIE.

Mallory Steamship Company was unable to get labor to work on its docks in Galveston from May 12th to May 26th, 1920, inclusive.

On May 27th employed three laborers.

On May 28th employed four laborers.

On May 29th employed four laborers.

May 30th was Sunday, no labor.

From Monday, May 31st, to June 3rd had no labor.

On June 4th, eighteen men voluntarily applied and were put to work.

On June 5th, forty-five men voluntarily applied and were put to work.

On June 6th, seventy-one men voluntarily applied and were put to work.

The labor employed from June 4th to June 9th inclusive were used in cleaning docks and re-arranging the freight on the docks. On June 10th we had the steamer "Comal" to load and employed 219 laborers.

From the time General Cope arrived in Galveston in the early part of June, this Company has had no trouble in getting all the labor it could use, besides has at times had to turn labor away because we could not give employment to all that applied seeking work.

The Mallory Steamship Company, on account of an intolerable condition that existed in Galveston, transferred the operation of its ships May 10th, 1920, from Galveston to Port Arthur, Texas. On account of some of the Mallory ships operating from Port Arthur the business handled through Galveston since the troops arrived here has been below normal. We are still handling ships to Port Arthur and will do so until such time as the Company can lift the accumulated cargo there.

There has been delivered from the Company's docks and loaded into railroad cars at Galveston since June 4th approximately two thousand four hundred fifty-four tons of merchandise, consisting largely of interstate shipments of food and clothing. Of this twenty-four hundred and fifty-four tons only five hundred seventy-four tons of it was the delayed freight held on the docks at Galveston on account of labor conditions. The balance was cargo from recently discharged steamers. As information will state that three hundred twenty-six tons of the long delayed freight was taken from the docks during the latter part of May by drays. This is in addition to the five hundred seventy-four tons mentioned above. There has also been taken from Mallory Line docks and loaded into steamers since June 4th approximately 6000 tons of freight consisting of wool, cotton, hides, etc., destined to New York.

Since work started on our Galveston docks June 4th, this Company has moved from its docks eight thousand six hundred fifty-four tons of freight. Of this amount approximately six thousand five hundred seventy-five tons is long delayed freight that had been on Mallory docks since March, and no doubt would have been on the docks until now had it not been for the action of Governor Hobby.

F. T. RENNIE.

Sworn to and subscribed before me this 28th day of June, 1920.

CHESTER H. MACHEN.

Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of John Christensen, Taken Before Chester H. Machen, Major Cavalry, N. G. T., and Assistant Judge Advocate, at Galveston, Texas, June 29th, 1920.**

My name is John Christensen, with the firm of John Christensen and Company, dealers in Ford automobiles and sporting goods. I have been a resident of Galveston for the past 24 years and a tax payer. I read the daily papers and keep up with the general conditions very closely.

Some time in March a strike was called by longshoremen working the Mallory and Morgan Line docks. During this strike there has been numerous fights between the union and non-union men who were trying to work these docks. Freight traffic was almost completely tied up over these docks. We, ourselves, had a shipment of sporting goods that should have reached us the latter part of March. We did not get delivery until the 19th of June and delivery would not have been made at that time had not the non-union workers been protected by the soldiers.

In January I started the construction of a two-story concrete building at the corner of Tremont and Church streets. Shortly after we started this work, the steel workers' union informed us that unless we made a "union" job out of this they would boycott our business, and further, take the matter up with Henry Ford and have our dealership taken away from us.

It is a well known fact here in Galveston that the police force have failed to render any protection to the

workers. There was a great number of men assaulted and intimidated and very few if any arrests made. It is a well established fact also that gambling houses and houses of prostitution operated very freely. I do know positively of my own knowledge that the majority of the police officers of this city are in direct sympathy with the strikers. These conditions all changed immediately upon the arrival of the troops, and everything seemed to have been running normally since they arrived here.

I have heard the very day the soldiers leave here that the strikers are going to the Mexicans and workers on these docks and run them out of the city. If this is attempted no doubt it will be a serious matter.

JOHN CHRISTENSEN.

Sworn to and subscribed before me this 29th day of June, 1920.

CHESTER H. MACHEN.

Major Cavalry, N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of W. A. Wansley, Taken Before Chester H. Machen, Major Cavalry, N. G. T., and Assistant Judge Advocate, at Galveston, Texas, July 2nd, 1920.**

My name is W. A. Wansley. I am assistant to Chas. Clarke, owner of the business of Chas. Clarke & Co., Galveston. Have been with this firm for the past eleven years, in Galveston. Our business consists of Coastwise Transportation, Towing and River and Harbor Improvements.

While not being directly interested in the strike of the Morgan and Mallory Line Dockworkers I have had many occasions to observe conditions, and being interested to the extent of employing union men of various trades, have been anxious to know why the strike could not be settled or the steamship companies could not employ other men to carry on their business. Before the T. N. G. were ordered to Galveston, the Mallory Line attempted to handle their freight with non-union men, but the picketing of the union men made it impossible for them to keep the non-union men in the city. Many reports of the union men beating up the non-union workers and running them out of town were made, and the reports were reliable and undisputed. On one occasion I was passing down 21st Street about 8:15 p. m.,

just after an interurban had pulled out with non-union workers from the Mallory Line, and the streets at the interurban was so crowded with people that I could not pass through with my automobile. I stopped and walked into the crowd and inquired the trouble and was told by someone whom I did not know that they had sent the "scabs" out of town and no more would be brought back.

I was present on the night of the public meeting at the City Auditorium when protest talks were made by Mr. F. S. Anderson and others of the City Commissioners when news reached Galveston that the T. N. G. had been ordered here. From the talks made any unbiased persons could easily see that Mr. Anderson and the City Commissioners were upholding the strikers and made statements in their talk that could have no other effect than inflame the minds of the strikers who were present, and practically the entire crowd were union men then on strike. It was no secret with the business men of the city that the Galveston Police Department were nearly all former members of the dock workers' union and were assisting the strikers all they could. They would make no arrests of the strikers who beat up non-union men, and every one knew that a non-union worker could get no protection in Galveston.

In my opinion, the sending of the T. N. G. to Galveston and establishing martial law was the best thing that could have been done for the benefit of the port. Had this not been done the Morgan and Mallory Lines, I believe, would have still had their sheds full of freight belonging mostly to Texas merchants, and this merchandise was badly needed, besides deteriorating in value every day. It is also my belief that unless something is done to cause some change in the present Galveston Police Department when the T. N. G. are removed there will be further and more serious trouble in Galveston. Reliable men tell me that conditions in Galveston with the strikers, many of whom want to go back to work but are afraid to, is most serious and that they must secure work before very long.

W. A. WANSLEY.

Sworn to and subscribed before me this 2nd day of July, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of Capt. John Jacobson, Taken Before Chester H. Machen, Major Cavalry, N. G. T., and Assistant Judge Advocate, at Galveston, Texas, June 28, 1920.**

My name is John Jacobson and I have lived in Galveston and Galveston County since 1895. I am engaged in General Contracting business of Dredging, Pile Driving, Wharf Building, Reclamation Work, etc.

The men formerly employed by me referred to later on belonged to a union known as the International Association of Bridge, Structural and Ornamental Iron Workers and Pile Drivers Local Union 135, and though agreement had been made with this union to complete all of my contracts at Galveston at a given rate, said union disregarded their agreement and walked out. After giving these men ample time to reconsider their action none returned to work and I had to get what non-union labor that I could that was available and there was apparently enough, only all stated that they were afraid to work on account of being threatened by strikers. Some of them (strikers) even came out on the works and intimidated the men and scared them off the job. This is not only true of the men engaged on the wharf building and pile driving but also of the negro labor that was employed in unloading material from the railroad cars.

The first day I started with my new crew to work, when we knocked off that night, May 25th, 1920, I noticed several of former employees standing by the Medical College and the Sealy Hospital, and the same thing the following night. My men reported to me that they had been followed home and threatened if they did not stop working. After this I made arrangement to take them to the job by boat, leaving from the foot of 22nd street each morning. When the union men found out what I was doing they would be on hand at the pier when we left, and there in the evening when I returned, and pass all kinds of remarks both against the labor and myself, though no bodily harm was done to any of us while I was present, though one of the strikers did try to kill my timekeeper, and for which he is now out on \$500 bail. I then appealed to the City Police Department for protection, but was told the place was outside the city limits, although it was at the foot of Fifth Street, and I would have to take it up with the Sheriff's Office, which I

did. The Sheriff informed me that it was within the jurisdiction of the city, but if he had the means to do with, he would give me protection, but he had none. I appealed to the City Police again and they told me they had 34 men on the force for day and night or 17 men for each shift. This included specials, etc., so I could see that they had no men to spare. Later on they did furnish me with a man in the east end for which I paid them at the rate of \$3.50 per day.

As previously stated the union men would meet my men on the way to the boat and threaten them, and on two different occasions I have seen policemen present when my men were being cussed out and no efforts were made to stop them. Prior to the arrival of the State Militia it was hard to get men to work as they felt that the police were in sympathy with the strikers and would not give them the necessary protection, but since the military has been in charge I have had no trouble in securing labor and am making satisfactory progress with my work. It is my opinion from comments that I have heard and from information furnished by my men that it would not be advisable to remove the troops from Galveston until things are more settled.

JOHN JACOBSON.

Sworn and subscribed before me this 28th day of June, 1920.

CHESTER H. MACHEN,  
Major Cavalry N. G. T.,  
Asst. Judge Advocate.

**Ex Parte Deposition of Leon H. Durst, Taken Before Chester H. Machen, Major Cavalry, N. G. T., and Camp Judge Advocate, at Galveston, Texas, July 13th, 1920.**

I am employed by the Galveston News as telegraph editor, and have been in Galveston since April 1, 1920, except for a period of 20 days spent in the West recently. At the time the recent strike trouble was precipitated in this city, I was Marine Editor of the News, and as such, had occasion to see much of the developments taking place along the wharf.

At the time the trouble between strikers and strikebreakers began in the neighborhood of the Mallory docks early in May, I was often accosted by bands of pickets there as I made my runs for news. On two occasions the strikers being suspicious of me, threat-

ened to "beat me up" if I should turn out to be seeking work with the Mallory people. In those days the pickets openly armed themselves with clubs, billies, rocks and other dangerous objects with which to prevent strikebreakers from going to work, and they used often to tell me of their intention and eagerness to use the weapons against any man who attempted to go to work. They often said that if they failed to get such workers as they went into the warehouses, it was certain he would be caught as he went out. On two occasions the pickets told me of how they had severely beaten up a Mexican and another man who they claimed had attempted to go to work on the Mallory docks.

The thing which surprised me most as a Texan and a red-blooded American, was how and why during those days when the trouble with the strikers was at it height large bands of pickets, many of whom could not speak English with any fluency, should be allowed to entirely take possession of property near the Mallory docks, and this too by means of literally arming themselves with ugly weapons, openly making threats of violence with the abandon of braggarts. One night as a friend and myself were walking along the docks we were held up in front of the union station by a band of striking negroes, led by a man of Teutonic or Slavic origin. The leader of the gang could only speak the poorest and the most broken English, yet as the negroes crowded around us, this fellow had the nerve to ask us who we were and what we were doing on the public streets at that point. I told him we were representatives of the Galveston News and he at once asked us to show papers to that effect. The request from the striker so angered me that I let in with hasty words, giving him the assurance that he had no right to demand papers from me or my friend, who were free citizens on a public street. My words seemed to cower the whole gang and no trouble ensued.

On three occasions as I was walking near the docks in the neighborhood of the Union Station, at times when the strikers acting as pickets were scenting "scabs," I noticed city policemen standing inside of box cars or looking from behind buildings or around corners as pickets ran in bunches heavily armed with clubs or stones, in pursuit of dockworkers. I never saw the police make a single arrest on any of these occasions.

Before the strikers learned who I was, I had occasion to listen to many of their group harangues near the docks. Many of the foreign element and negroes as well expressed bolshevist views in moments of excitement. I saw the German who was deported through the quick work of Mr. Bell, mixing and mingling with the strikers and pickets. He seemed to have a good following wherever he went.

LEON H. DURST.

Sworn to and subscribed before me this 13th day of July, 1920.

CHESTER H. MACHEN,

Major Cavalry N. G. T.,

Camp Judge Advocate.

**Ex Parte Deposition of Allen S. Shepherd Taken Before Chester H. Machen, Major Cavalry N. G. T., and Assistant Judge Advocate at Galveston, Texas, July 6, 1920.**

My name is Allen S. Shepherd. I have been employed by Suderman and Young and their predecessors, Suderman and Dolson, for the past sixteen years in a confidential and executive capacity handling directly the labor, both licensed and common, on all of their floating property and have participated in all of the labor wage adjustments and conditions generally between the firm or corporation and the labor, and have found that trouble with the labor has chiefly been brought about by agitators having come to Galveston from other localities and recently, on account of the present city commissioners supporting the irresponsible labor element and the failure on the part of the police department to in anywise protect the rights of others than the labor element has caused the situation to become more intense; the labor is dictatorial and is bordering on confiscation; this I believe is also due to the fact that Mr. Frank Anderson, the present city attorney, has incited the labor element to "Demand their rights." On June 30, in Beaumont, one Patsy Carogan presented the demands of the foremen on the two boats in Galveston Harbor, and stated that unless the demands were met we "should not be surprised if we heard of a tragedy in a few days." Therefore it is perfectly natural to anticipate some trouble from this quarter in Galveston, as this man Carogan claims to be representing the Marine Fire-

men in this harbor, and there may be trouble if police protection is not assured, and we are not willing to depend upon the present chief of police or his force or the present city commissioners for the protection of our property and the lives of those who may be employed to operate it.

ALLEN S. SHEPHERD.

Sworn to and subscribed before me this 5th day of July, 1920.

**Ex Parte Deposition of M. Naumann, Taken Before Chester H. Machen, Major Cavalry N. G. T. and Assistant Judge Advocate at Galveston, Texas, July 2, 1920.**

My name is M. Naumann, a resident of Galveston for forty years and have been for thirty-eight years in the employ of the Santa Fe Railroad.

I am at present Division Passenger Agent for the Santa Fe, with headquarters in General Office Building, 25th and Strand, Galveston, Texas.

On Tuesday, May 11th, about seven o'clock in the evening upon leaving the Union Depot Building my attention was directed to quite a gathering on the opposite side in front of Ullman, Stern & Krausse's wholesale grocery house. Soon a "Ford" machine drove up with at least 10 or 15 occupants, some of them hanging on the side of the car, and all of them provided with a club, which from where I was standing looked like branches of a tree.

Two of them came over to the sidewalk where I was standing and I asked the question, "What is all of this excitement about?" and the reply was "We are waiting for those d—scabs to come out; we are told they are finished and paid off, and we want to show them a thing or two." I judged from this remark that he was a member of the "striking" union. All this time there were sitting on the platform of Ullman, Stern & Krausse's grocery store three police officers in uniform, looking perfectly contented leaning against the wall.

The same party who made the foregoing statement with reference to the "gathering" still stood alongside of men and I remarked "Isn't it surprising that these police officers don't try to stop this unlawful gathering as they must know the purpose for which these men are there?" The reply came back, "Hell, no. Those policemen belong to us. They are



longshoremen and belong to our organization and only got a job on the police force during the present administration; they know d—— well if they went against us now they could never come back into our society."

When those men who had worked on the Mallory Line docks finally came out and rushed over to 22nd and Strand, where a closed car was in waiting for them, I followed the mad rush and although the car had left for the Interurban Station, I found three or four men standing on the corner with large "rocks" piled on top of the mailbox, expressing their displeasure because they had not been able to use them at all.

I also saw an unfortunate Mexican a day or two before that, with his lower lip all cut up and bleeding profusely. He was unable to speak the English language and had not been working on the Mallory Line docks at all. He had in his possession a time slip, where he had worked at some other dock, and was looking for his pay. A policeman escorted him part way up 25th Street and turned him loose, and a man struck and disfigured the Mexican, and the policeman went the other way.

I have no desire to belittle anyone, but firmly believe that considerable more activity could have been displayed by the Galveston police force, and thereby avoided clashes, regardless of who was responsible for them.

M. NAUMANN.

Sworn and subscribed to before me this 2nd day of July, 1920.

CHESTER H. MACHEN,

Major Cavalry N. G. T.  
Asst. Judge Advocate.

**Ex Parte Deposition of J. D. Creath,  
Taken Before Chester H. Machen,  
Major Cavalry N. G. T., and As-  
sistant Judge Advocate at Galves-  
ton, Texas, June 28, 1920.**

My name is J. D. Creath. I am local manager of Ullman, Stern & Krausse, Inc., and I have lived in Galveston seven years and have been constantly engaged in the wholesale business during this time.

I have kept up with local conditions very closely; while not being witness to any assaults on non-union laborers, I know it to be a fact that daily occurrences as a result of the strike the Mallory Steamship Com-

pany was unable to keep non-union laborers employed on account of the strikers, thereby tying up the gateway of commerce and doing material damage to the territory dependent upon this port. Traffic since March, 1920, up until the National Guard was sent here, was almost at a standstill; thousands of dollars worth of perishable goods were lost as a result of the strike; also there were many thousands of dollars loss to merchants on account of delay to seasonable stock.

Apparently, there was no effort made on the part of our police department to assist the various steamship companies in discharging cargoes and as a result the Mallory Steamship Company was forced to unload several cargoes of freight to a great disadvantage at Port Arthur and being almost necessary for them to abandon this port indefinitely, which they would have done if protection had not been furnished us by our Governor. Since the National Guard has been stationed here, all conditions have about resumed normal—freight is moving freely.

I might state since the National Guard arrived in our city, there has been a general cleanup of vices, gambling houses, boot-legging, etc. There is no question in my mind but what conditions will become very acute again should the troops be withdrawn until more substantial protection is organized. I might mention the fact that during all of this trouble, very few arrests, if any, were made by the local authorities. The crowds which gathered continually at the wharf front and avenues leading thereto have been dispersed and laborers are at liberty to go and come in a peaceful manner since the arrival of the troops.

My place of business is located at 25th and A, which is within a block of the Mallory Line Block. We are large distributors of merchandise throughout the entire coastal countries. As a result of the strike, our shipments have been delayed,—customers have been disappointed and we suffered material loss and disappointment in the way of not being able to serve our trade properly.

We work a number of negro porters in our warehouse and we pay them fair wages, and until this strike, it was almost impossible for us to keep our force up to normal because of better wages paid by the

various steamship lines and I know it to be a fact, that some of the long-shoremen have made as much as \$40 per week, which I consider a big wage for day labor; therefore, I can see no justification for the strike and the public at large so greatly inconvenienced.

J. D. CREATH.

Sworn and subscribed before me this 28th day of June, 1920.

CHESTER H. MACHEN,

Major Cavalry N. G. T.  
Asst. Judge Advocate.

#### Exhibit "B"

To the Honorable W. P. Hobby, Governor of Texas, and H. O. Sappington, Mayor, A. P. Norman, George E. Robinson, John P. Gernand, and J. C. Purcell, Commissioners of the City of Galveston.

The undersigned committee, appointed by a committee of the citizens and the Board of Commissioners of the City of Galveston, at a meeting held at the home of J. M. Maurer, in the city of Galveston, Texas, on the 16th day of September, 1920, which committee was composed of the following-named persons, to-wit:

Jacob Singer, chairman, J. M. Maurer, secretary;

Right Reverend C. E. Byrne, Bishop of the Diocese of Galveston; Rabbi Henry Cohen; Reverend Robert D. Wilson, pastor of the Broadway Baptist church; Mr. J. H. W. Steele, president of the J. H. W. Steele Company; Captain Edwin Goudge, President of the Galveston Master Stevedores' Association and Manager of Galveston Stevedore Company; William J. Binyon, Jr., president and manager of the Binyon-O'Keefe Contracting Company; R. P. Williamson of the R. P. Williamson Company, stevedores; J. H. Fricke, Matthew J. Gahagan and O. A. Anderson, labor representative; E. O. Sappington, mayor; A. P. Norman, commissioner; George E. Norman, commissioner; J. C. Purcell, commissioner; John H. Gernand, commissioner; and Frank S. Anderson, city attorney, to formulate and submit to the Honorable W. P. Hobby, Governor, and the Board of City Commissioners of the City of Galveston, for their approval a plan looking to the withdrawal of the

state militia from the city of Galveston, and the lifting of martial law, beg to submit the following report:

#### FIRST

The committee of citizens above mentioned, other than the mayor and board of commissioners, held its first meeting on September 1st, 1920, and subsequent meetings were held from time to time, the purpose, among others, being to bring the committee of citizens and the board of commissioners together for the purpose of devising a plan acceptable to the Governor whereby martial law might be lifted.

#### SECOND

Your committee submits the following plan and suggestions for the approval of the Governor and the board of commissioners:

(a) That when the details of the above principles are approved by the mayor and city commissioners, the citizens committee above named, and the Governor, in writing, that a definite date be fixed by the Governor for the lifting of martial law and withdrawal of all troops from the city of Galveston.

(b) The citizens' committee above named and board of commissioners recommend and request that the Governor place at the disposal of the city government and the committee an experienced Ranger Captain, who will be placed at the head of the police department and whom we here now authorize to exercise complete authority and control over all peace officers both regular and special.

The Ranger Captain herein referred to to direct all operations of the police department through the regularly appointed Chief of Police. To carry out the spirit of this instrument, the board of commissioners pledge themselves to suspend temporarily and remove from office permanently in such manner as will not conflict with the city charter of Galveston, any officer of the city of Galveston who attempts in any way to impede, obstruct, or interfere with the protection of workers and the enforcement of the law by the Ranger Captain placed at the head of the police department as requested herein.

(c) That the board of commissioners appoint as special officers such number of men as the captain

of the Rangers referred to in Section (b) may deem advisable to assist them in enforcing the laws in the event of any emergency.

(d) That the Governor order to Galveston such number of rangers or special rangers as the Ranger Captain referred to in Subdivision (b) may deem advisable to act in co-operation with the citizens' committee and the police force and board of commissioners of said city in suppressing any disorder that may arise and in the enforcement of the laws and order in the city; the committee of citizens above named, exclusive of the members of the board of commissioners, are to continue as a committee in an advisory capacity to this end, and also for the purpose of endeavoring to bring about a more amicable understanding between employers and employees in the city of Galveston, and to that end, it is requested that the Governor lend his aid and influence.

(f) The plans herein detailed shall be operated so long as a necessity for same shall exist, the necessity to be determined by all parties hereto.

We believe that the adoption of this plan insuring co-operation between the Governor, the citizenship, and the board of commissioners, as suggested herein will result in the continued uninterrupted flow of traffic through the port of Galveston, and to that end the Governor may have the full assurance of our support.

At a full meeting of the committee of citizens mentioned in the foregoing port held on the 16th day of September, 1920, the report was unanimously approved.

Respectfully submitted,  
JACOB SINGER,  
Chairman.  
J. M. MAURER,  
Secretary.

Accepted and ordered approved by the Citizens' Committee at a meeting held on this the 18th day of September, A. D. 1920.

By JACOB SINGER,  
Chairman, Citizens' Committee.  
Attest:

J. W. MAURER,  
Secretary Citizens' Committee.

Adopted and ordered approved by the Board of Commissioners of the City of Galveston at a special meeting held in accordance with the provisions of the charter of said city,

this the 18th day of September, A. A. 1920.

By H. O. SAPPINGTON,  
Mayor of the City of Galveston.

(Seal)

Attest:

JNO. D. KELLEY,  
City Secretary.

Accepted and approved this the 17th day of September, A. D. 1920.

W. P. HOBBY,  
Governor of Texas.

(Seal)

By the Governor

C. D. MIMS,  
Secretary of State.

### THIRD DAY.

Senate Chamber,  
Austin, Texas.

Thursday, September 23, 1920.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

Absent.

Caldwell.	Page.
Clark.	

Absent—Excused.

Carlock.	Parr.
Davidson.	Suiter.
Floyd.	Westbrook.
Hopkins.	

Prayer by Rev. C. S. Wright, of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

### Senators Excused.

Senators Davidson, Hopkins, and Suiter were excused indefinitely on account of important business.

### Petitions and Memorials.

See Appendix.